

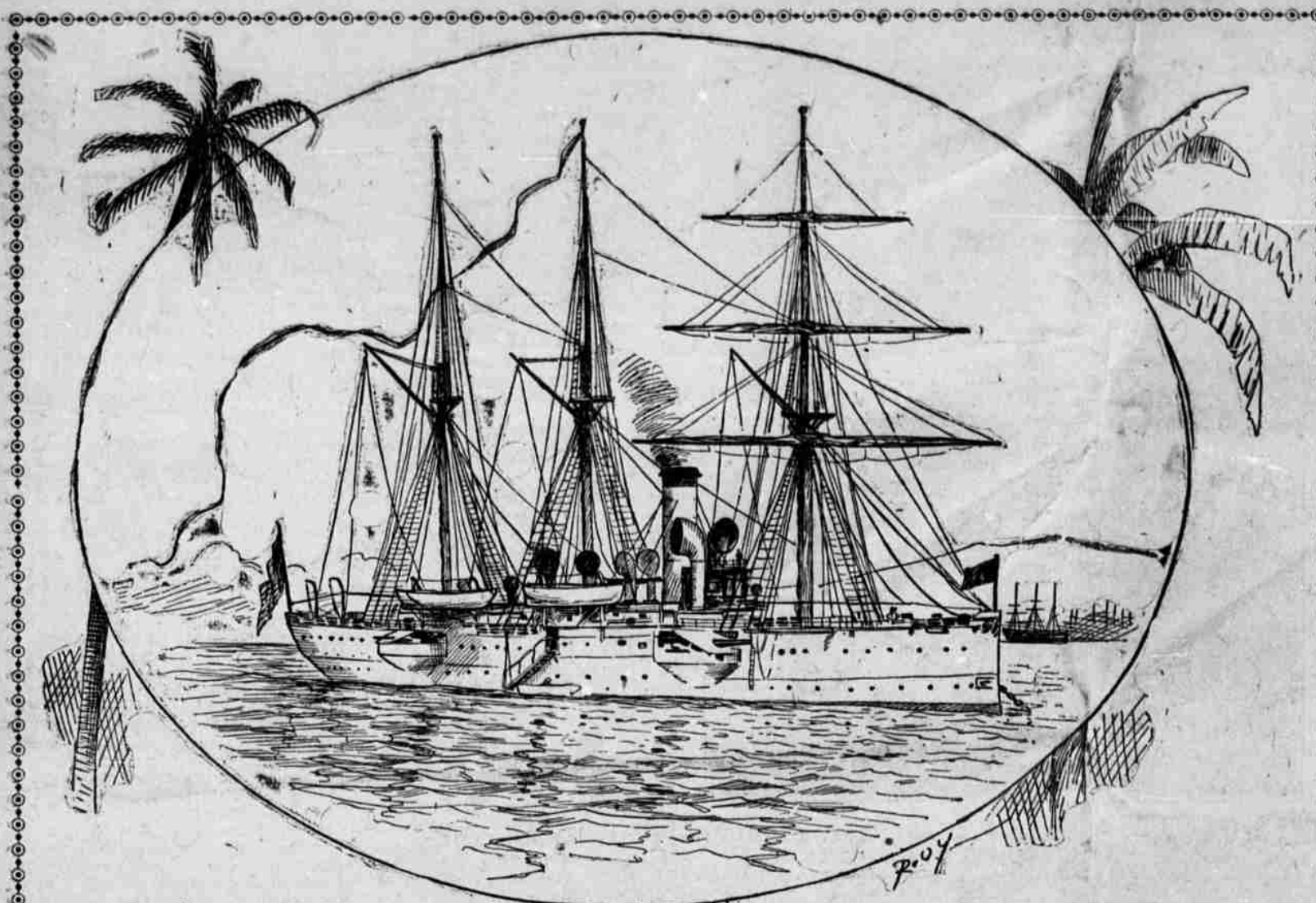
Hawaiian Gazette.

VOL. XXXIX, NO. 92.

HONOLULU, H. T., FRIDAY, DECEMBER 9, 1904—SEMI-WEEKLY.

WHOLE No. 2649.

PETREL COMES TO BE THE STATION SHIP THE CZAR'S SHIPS ARE DESTROYED



U. S. GUNBOAT PETREL.

Pretty Little Modern Gunboat Will Remain at Honolulu for the Next Four or Five Months—Part of Her Glorious History.

Flashing her searchlight ahead of her to pick out the channel the United States gunboat Petrel came slowly into the harbor of Honolulu last night and found rest beside the Pacific Mail dock at 7:15 o'clock.

"And we are mighty glad to get here and to know that we have found a home for four or five months at least," said Lieutenant-Commander Francis H. Sherman, in command of the vessel, as he saw her made fast to the wharf.

For the Petrel is to be station ship at Honolulu for that length of time, relieving the Iroquois. Maybe the Petrel will stay here even longer. And, whether she does or not, she represents the dawn of a better day for Honolulu, speaking in a naval sense. It is the purpose of the Government to keep better station ships here in the future and the Petrel is the first one of the vessels of the superior class to be assigned to this duty. The Iroquois is

to be sent away, presumably to the coast, but no one seems to know definitely. Perhaps she will be stationed at Midway, as it was reported some months ago that she would be, or she may find her next home at Guam. However that may be, she will leave Honolulu.

"We have been fourteen days coming from San Diego," went on Commander Sherman. "We have had good weather all the way. But as I said before we are all glad to get to a place where we can settle down comfortably for a few months—and think ourselves lucky that the place is Honolulu. We have traveled 22,000 miles in the Petrel within the past year. We began it in the spring when we went up to Sitka and got fat there catching and eating flounders. They have very fine flounders at Sitka. We had a good time there altogether, although it was a bit out of the world. From Sitka we have strayed along pretty nearly the whole Pacific coast and now our luck has culminated in being ordered to the pleasantest port in the Pacific. And it is not out of the world as Alaska is. Yes, we are glad to get to Honolulu."

The Petrel does not now come to the Islands for the first time. She was one of Dewey's glorious fleet at Manila bay in the action on that memorable first day of May, 1898, that saw the power of Spain in the East Indies end in the bloody waters of Cavite. The Petrel, then stationed at San Francisco, was ordered to join the Asiatic squadron on the China station in the winter of 1896-7. It may have been that even when the work that squadron was destined to

(Continued on page 3.)

POLICE GO TO WAIALUA TO QUELL JAP STRIKERS

Four Hundred Riotous Laborers Threaten Serious Trouble, But are Quieted Without Doing Any Damage.

At precisely 8:45 last night High Sheriff Henry received a telephone message from Manager Goodale of Waiialua plantation, stating that four hundred Japanese from one of the camps on the plantation, who had gone on strike for higher wages, had armed themselves with whatever they could get in the way of weapons and started for the other camp, where are quartered almost as many more laborers, with the avowed purpose of compelling the others to join the strike.

Sending out in hot haste for his mounted men, the High Sheriff chartered a special train on the Oahu railway, and in forty minutes had a posse of twenty men, well armed, under the command of Captains Parker, Leslie and Kanae, on the way to the scene of the trouble.

One hour and five minutes later, the Sheriff received word from the plantation that the posse had arrived there, and had started on a plantation train that was found awaiting them for the Japanese camp. That was remarkably quick work on the part of the police department, and remarkably quick work also by the railway people.

At 1:30 this morning a telephone message from Manager Goodale brought the information that all was quiet at the plantation, that there had been no violence and that half of the police were on their way back to Honolulu on a special train while the other ten would return on the regular morning train. The story of the disturbance was outlined by Mr. Goodale as follows:

"The strike originated among the loaders—the men who load the cane on the cars in the field. The others that have struck have done so out of sympathy. We have two camps of Japanese on the plantation, about 400 in one and 500 in the other. The 400 struck and as the other camp refused to join them, saying that they had no grievance against the managers, the strik-

ers marched in a body to the other camp with the view of compelling their compatriots to join them.

"It was at this stage that the police were sent for, as the non-strikers were (Continued on page 5.)

(ASSOCIATED PRESS CABLEGRAMS.)

LONDON, Dec. 9.—All Russian battleships, cruisers and gunboats in Port Arthur, with one exception, have been destroyed and the crews landed. No efforts were made to remove the vessels. The destroyers remain afloat and are receiving the enemy's fire. It is rumored that the Askold, which alone of the cruisers remains intact, is coaling, replacing her machinery and preparing to escape and join Rojestvensky.

THE PRICE OF VICTORY.

FUSAN, Dec. 9.—Gen. Nogi's remaining son was killed on 203-metre hill. His other son was killed on Nanshan hill. The General is left childless.

A PANIC ON THE STOCK MARKET SENDS SUGAR DOWN

NEW YORK, Dec. 9.—There was a panic yesterday in the stock market with heavy selling and general demoralization. American sugar declined six and three-eighths. Later there was a general recovery. During the panic 3,000,000 shares were sold.

THE PATTERSON JURY.

NEW YORK, Dec. 9.—The Nan Patterson jury has been completed for the second trial.

REFINED SUGAR ADVANCES.

NEW YORK, Dec. 9.—Refined sugar has advanced ten points.

MRS. CHADWICK FAILS TO GET BAIL AND GOES TO PRISON

NEW YORK, Dec. 9.—Mrs. Chadwick has been taken to the Tombs, being unable to secure bondsmen in \$15,000.

ELYRIA, O., Dec. 9.—The grand jury has voted to indict Mrs. Chadwick for obtaining money under false pretences.



ADMIRAL WIREN, WHO COMMANDS THE PORT ARTHUR FLEET.



GENERAL NOGI, THE JAPANESE COMMANDER, STUDYING A WAR MAP AT HIS HEADQUARTERS BEFORE PORT ARTHUR.

KOSEKI IS IN CUSTODY

Accused Jap Confesses That He Cut Suyetomo.

(From Wednesday's Advertiser)

"I have a row last night at Iwilei with Suyetomo. I cut him. Then I see my name in the newspaper this morning, and I know I could not get away. So I come in."

With these words, Koseki, the Japanese hackdriver who was believed to have stabbed Suyetomo to death on Monday night, delivered himself into the custody of High Sheriff Henry at the police station last night, shortly after dinner time. He had hailed a Japanese hackdriver who chanced to be passing along King street at the corner of Pihoi a little earlier, and had told the man to drive him to the police station.

Now, as a matter of fact, the police had about rounded Koseki up before he found it expedient to surrender himself. Shortly following the tragedy at Iwilei, High Sheriff Henry posted men on all the roads leading out of town, and the High Sheriff himself kept close watch on the steamer Ventura, about to leave port. Besides, a detail of men conducted a systematic search through the Japanese quarter, and every Jap who was known to be friendly to the fugitive suspected of the murder found himself so kept under espionage that he could have extended no help to Koseki, even if he had been so minded.

The man looked as though he had passed rather a hard night when he came into the station. He was attired in a dark colored kimono, and not a great deal besides that, and had neither money nor tobacco on him. The kimono, however, was clean, showing that he had found a friend somewhere who had relieved him of his bloody garments, and his hair was combed although his face and eyes showed lack of sleep.

He was locked up in the tanks for a few hours, a charge of murder being entered against him, and a little later was taken to Oahu Prison for safe-keeping.

The murder of Suyetomo, a particularly brutal and bloody crime, seems to come as the sequel to a Japanese tragedy which occurred at Waiialua few weeks ago. The Waiialua affair resulted in the sending of one Hayashida to prison for a long term, the principal witness against him being Suyetomo, the man killed at Iwilei on Monday night. The slayer, Koseki, is said to be a friend of Hayashida. Koseki was one of those present at a sort of Japanese drink feast, given at the rooms of one Miyamoto, and upon the supply of drink giving out, remained at the rooms in company with the murdered man while the host went in town for more liquor.

That was the last time anybody saw Suyetomo alive—and the last time anybody is known to have seen Koseki until he walked into the police station and surrendered himself last night. When Miyamoto returned to his room from his trip after booze, he found the body of Suyetomo, naked to the undershirt and all covered with blood, lying on the floor, and the rest of his company vanished. He notified the police at once, being naturally much perturbed, and suspicion at once pointed to Koseki, who had had a row with Suyetomo earlier in the evening at that time striking the man who was later murdered with a beer bottle, cutting an ugly gash in his head.

The Deputy Sheriff yesterday morning found the knife with which Koseki is alleged to have killed Suyetomo. It was in the large open lot back of the row of tenements and was probably

SAM JOHNSON NOT INDICTED

Not Even Remote Chance That He Will Be.

"There is no indictment against Sam Johnson pending in this office," said Attorney-General Andrews yesterday, "and so far as the knowledge of the office goes, no likelihood of any. We have no knowledge of any charges of any kind against Captain Johnson."

The Attorney-General made this statement, in justice to Captain Johnson, because, an afternoon paper had said that the name of Johnson had been mentioned in a paper submitted to the Grand Jury signed by Foreman Tucker. It is probable that the rumor grew out of the police court proceeding yesterday, wherein Johnson charged Frank Remillard with extortion in the second degree. Johnson's charge against Remillard is contained in the following affidavit:

"Samuel Johnson, of Honolulu, Oahu, Territory of Hawaii, being first duly sworn says: That on the 2nd day of December, A. D. 1904, one Frank Remillard of said Honolulu, and at said Honolulu by a certain menace, to wit: by threatening to charge another, to wit, one Samuel Johnson, then and there being with a certain crime, to wit: that he the said Samuel Johnson, at a certain general election for senators and representatives held within and for the Territory of Hawaii, on the 8th day of November, A. D. 1904, did aid and assist a person to this affiant unknown to vote in the name of another person living, to wit: one Frank Remillard above named which said crime is an offence of a lower grade than a crime which is capital or which is subject to punishment by imprisonment for five years or more, to wit: said crime being punishable by imprisonment not exceeding two years, unlawfully and feloniously did attempt to wrest and extort a thing of value from this affiant, said Samuel Johnson, to wit: money of the aggregate amount and value of seventy-five dollars, and did then and there commit the crime of extortion in the second degree."

As a matter of fact, among the eleven indictments returned by the grand jury yesterday, there were none that had any bearing upon the charges of irregularity in connection with the late elections, although it has been rumored that the inquisitorial body has been working on the election matter for a week past.

Kiteats in New Zealand.

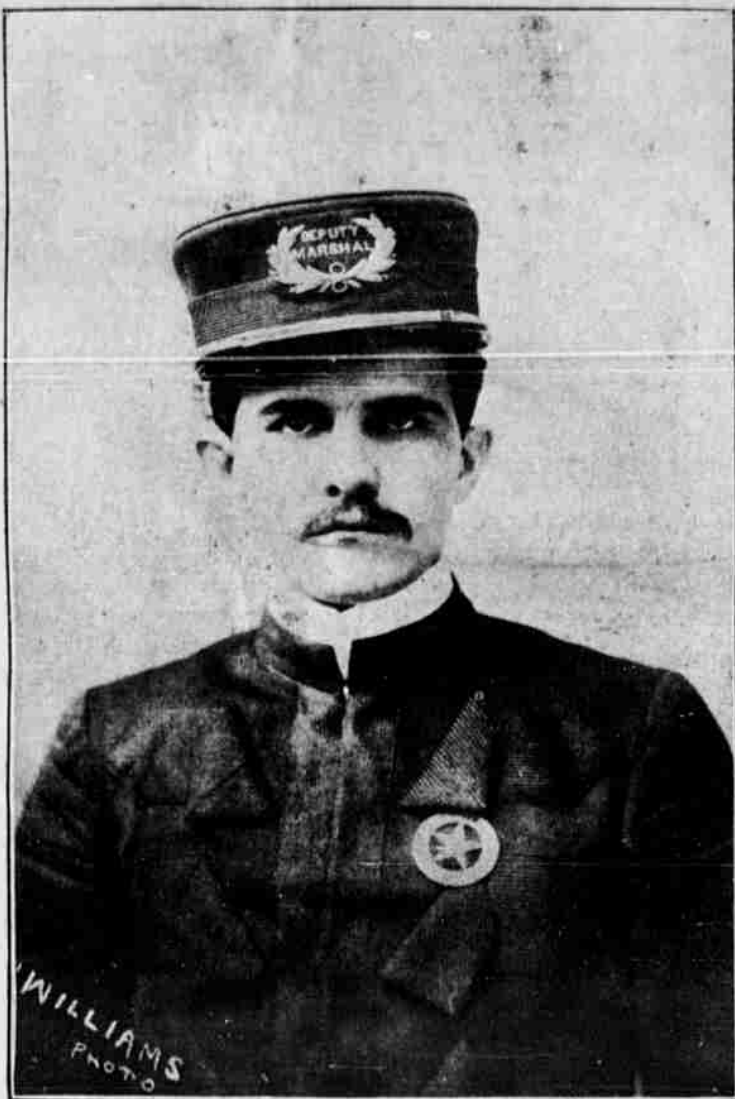
Lady Herron, mother of Mrs. Judge Stanley of Honolulu and Mrs. Kiteat, wife of Canon Kiteat, formerly of this city and at present in New Zealand arrived yesterday on the Ventura from New Zealand and is at present the guest of Mrs. Danford.

Lady Herron has been in New Zealand for the past eleven months, residing with Canon and Mrs. Kiteat. Lady Herron states that Canon Kiteat has a very comfortable rectorate in an inland parish, and has jurisdiction over several churches. Both Canon and Mrs. Kiteat are in excellent health.

According to Koseki, Suyetomo is alleged to have said during their carousal that he had killed one man and that another was serving time for the deed in Oahu Prison, and that he could easily kill another.

The inquest was postponed and will take place this afternoon at 1:30.

CHILLINGWORTH IS INDICTED BY THE GRAND JURY



EX-DEPUTY HIGH SHERIFF CHARLES F. CHILLINGWORTH, INDICTED FOR EXTORTION.

Three Charges of Extortion, One Jointly With Ahoo Against Late Deputy Sheriff. Other Indictments.

(From Wednesday's Advertiser)

The expected happened when the Territorial grand jury came into Judge Gear's court late yesterday afternoon and returned three indictments for extortion against Charles F. Chillingworth, late Deputy High Sheriff of the Territory of Hawaii, who resigned his office under fire a short time ago.

That is, the expected happened if town gossip is to be taken for anything. Everybody on the streets of Honolulu had been saying that Chillingworth would be indicted ever since the lightning came out of a clear sky and struck ex-detective Officer McDuffie with three indictments of receiving bribes as an executive officer. It was expected that the grand jury would return one or more indictments against Chillingworth on Monday, although it did not, and one of the evening papers hinted as strongly as it dared, under the law, that this would happen.

So strongly, indeed, was the rumor of the indictment circulated on Monday night, that it was even said the man now accused had himself been told of what was coming and that he would be in court with his bondsmen when the indictment was brought in. Mr. Chillingworth himself, asked about it, denied this story, but said that it was true that he had heard on the street that he was to be indicted. He was not in court, however, when the indictments came in.

The jury did not report on Monday. It was not so ready as street rumor. But it came into court yesterday afternoon, and presented Judge Gear with a batch of eleven indictments, all but one of these being assigned to the secret file, at the request of Deputy Attorney-General Peters. And then the buzz of rumor broke out again, while the clerk proceeded to issue the warrants under the indictments, and to notify the High Sheriff that the papers were ready.

Deputy Sheriff Rawlins went at once to Judge Gear's court room upon receiving the notification, and found his predecessor in office awaiting him. Chillingworth had followed the jury in to court pretty closely. The arrest of the former Deputy Sheriff was a mere matter of form, and he was not in custody longer than it took for his bondsmen to qualify. Bail under each indictment was fixed at \$1000, and the sureties were accepted by the Judge. They are Alfred Hocking, Palmer Woods and Frank Kruger. As soon as the bond had been accepted, Chillingworth at once went on his way.

And then the buzzing began once more—but this time there was something more of a story to it than rumor had had to content itself during the week. The three charges against Chillingworth are, as before stated, extortion. This seems to set the cases entirely apart from the McDuffie matter. Chillingworth is indicted on the first charge jointly with J. Ahoo, the notorious Chinese liveryman. Ahoo, indeed, is notorious for more things than keeping a livery stable, if all tales be true. The joint indictment of Chillingworth and the Chinese grows out of an alleged

extortion of money from Zam Yip, a wealthy rice planter, retired for some years past and living on his money. Zam Yip, it appears, had all the tastes of a wealthy Oriental, and the inclination to indulge them. Back in 1902 he had living in his house, besides his wife, a couple of women whose relationship to the head of the house may be described as questionable.

Whatever that relationship was, it was displeasing to Mrs. Zam Yip, and through her attorney, F. M. Brooks, now in Shanghai, she brought suit for divorce from her husband, alleging the presence of the other women in the house. The suit for divorce was settled without coming to trial, a part of the price of settlement being that the two women should leave the house of Zam Yip.

And then the rice planter thought that his troubles were ended. But they were not. They had only begun. For it is at this point that Ahoo and the then Deputy Sheriff are alleged to have secured personal control of the destinies of one of the women dismissed from the house of the old Chinaman, and to have extorted from him, by the threat that they would send the woman to United States District Attorney Breckons and let her tell that official what she would, if Zam Yip did not immediately pay to them, Chillingworth and Ahoo, the sum of \$1250.

What Mr. Breckons would do to Zam Yip then does not appear to have been stated, and it does not appear that the indicted men went so far as to pretend to speak for that official, but Zam Yip was a wise Chinese in his generation, and had heard of the Edmunds Act. And it is alleged that he paid the money as demanded. But it worried him so much that he was taken to the Queen's Hospital, temporarily insane from fear. Chillingworth and Ahoo, by the way, had been partners in the livery business conducted by Ahoo, from which Chillingworth once testified that he received an income of about \$15.00 a week.

The charges in the other two indictments against Chillingworth are that he extorted money from a Japanese man and woman, breaking down the door of the woman's house in order to catch the pair, and telling them that they could escape the necessity of coming to the Station House by the payment to him of twenty-five dollars. This money, it is alleged, was never accounted for to the police department.

Ahoo, indicted with Chillingworth on the large charge of extortion, did not receive the same consideration as his companion in misfortune. He was arrested at his place of business shortly before dinner time last night, and lingered in jail for several hours before he could find bail. He did get bondsmen, however, after a time, his bail fixed also at \$1000. The securities in his case are Lam On and Lee W. Chung.

"I don't know what I'm arrested for," said Ahoo, playing checkers with his nose behind the bars before his bondsmen appeared at the jail. A policeman

(Continued on page 6.)

TREES GROW FROM SEED

Great Promise From One Rubber Plant On Maui.

"I think that we will be able to do much more in the way of forest reservation," said Governor Carter yesterday. "If private land owners get to understand that they can put their forest lands in the reservations and preserve all their commercial rights."

"For instance, there are 18,000 acres of forest land on Maui that would be put in the reservation if this understanding were reached. When the owners know they will sacrifice nothing, and receive the benefit of the services of an expert forester, and perhaps, after awhile, of a system of protection from fires, and still keep all their rights to lumber and to the use of the land, we will begin to progress."

"Our forests are of high value now—and of higher potential value. They conserve the water supply, and they are capable of great development. Take, for example, the new woods that can be grown here. I saw, in my trip over the islands, a rubber tree at Nahu, on Maui, that was six years old. That tree has been tapped, I believe, but that is not the point here. The parent tree is surrounded by little ones that have seeded themselves. If the rubber tree will seed itself in the soil of the islands, there is a promise here of wonderful wealth in the future. In fact, this I regard as one of the most promising circumstances for the future that has come under my observation."

G. A. R. Officers

Following are the officers elected by George W. De Long Post, G. A. R., for the ensuing year:

P. C. Robert Nelson; S. V. C., George Dietz; J. V. C., E. A. Strout; Chaplain, L. L. La Pierre; Q. M., W. L. Eaton; Surgeon, Sam McKeague; O. D., Wm. F. Williams; O. G., Fred. Sherman; Q. M. S., John Meyers; Adjutant, Jno. W. Francis; Delegate to National Encampment, Geo. Dietz; Alternate, E. A. Strout; Inspector, Fred. Turrill; I. G., Tom Cary.

Ewart-Waterman.

The wedding of Miss Alice Ewart and Mr. Emil Waterman will take place this evening at 8 o'clock at the residence of the bride's parents. Miss Ewart will attend the bride and Mr. Clarence Waterman will serve his brother as best man. The couple will reside at the Kube residence corner of Lunaillo and Kaploian street.

DEFECTS IN LAND LAWS

No Way to Compel the Prompt Payment Of Taxes.

"There is a serious defect in our tax laws," said Governor Carter yesterday, "in that there is no way to compel the payment of taxes delinquent until the owner of the property gets ready to sell it."

"Say that a man has five hundred dollars to pay in taxes, and that he is hard pressed for money at the time, and cannot make the payment. Well, the 15th of November comes around, and the ten per cent penalty is imposed. And that is all there is to it. There is no way to force him to pay taxes, unless he should happen to want to sell the property, as I said before. The tax and the penalty are a lien upon the property. That is all."

"Now, in nearly all the states, when a tax penalty is assessed, the tax delinquent, with the added penalty, draws interest at a higher rate than would be charged by the banks if money were borrowed to pay the tax in the first place. There is a business like inducement to a man to pay his taxes. It is cheaper for him to pay what he owes to the government, even if he has to borrow the money to do it."

"There is a considerable degree of looseness in several of our land laws," the Governor went on. "For instance, when the Land Commission made its allotments in 1848, there were many claimants for land who were allotted tracts in which the government still had an interest. They were permitted to commute this government interest at the prices then allowed, in some cases very cheaply. And still, many of these commutations have not yet been made. And this notwithstanding the fact that they formed clouds on the titles to the realty in question."

"I have this morning signed a patent for a piece of land in which the government interest was only \$25, as the price of the land originally was assessed at \$100 and the government had a one-fourth interest. That land has since sold for \$8000. Now, it has taken that landowner since 1848 to clear off the cloud on his title, and all this time that money has been due the government and could not be collected. There are many cases like this, and much money outstanding that is due the government. Provision for the collection of these sums should be made."

FORMER HONOLULU BOY ELECTED TO COUNTY OFFICE

The Everett (Wash.) Weekly Herald speaks as follows of the brother of C. W. Booth, who was elected treasurer of his county by a large majority.

William R. Booth, who has successfully carried through his contest for the treasurership nomination, is a native of Honolulu. He came east to America in 1876, and landed in Snohomish county, twenty-one years ago. Mining has been his principal occupation, but at one time he was proprietor of the Hotel Exchange, in Snohomish. The years 1898 and 1899 were spent in Alaska. Mr. Booth went into the court house as a clerk under Treasurer Lawry in 1892, remaining there two years. He was also a clerk under Treasurer Mish in 1895-96, and was appointed deputy treasurer under Mr. Lawry three years ago. That position he still holds.



W. R. BOOTH.



KOSEKI, THE ALLEGED MURDERER OF SUYETOMO.

JUDGE GEAR LIGHTS OUT

Arraignments Are Made Under Last Found Indictments.

(From Thursday's Advertiser)

Arraignments of persons last indicted by the grand jury took place before Judge Gear yesterday morning.

Chan F. Chillingworth, late Deputy High Sheriff, pleaded not guilty to the two indictments of extortion in small amounts. F. E. Thompson and G. A. Davis appeared for him.

With regard to the indictment against Chillingworth and Aho jointly, for extortion in the sum of \$1250, A. G. M. Robertson appeared for Aho and, after consultation between counsel for both defendants, the plea was reserved until Monday next.

Leon Rennett, represented by J. W. Cathcart, pleaded not guilty to indictment for selling liquor without a license.

Kahiliulu, indicted for murder in the first degree, having no counsel was allowed to reserve his plea until Monday. It is probable that the court will have to assign counsel for this old man, whose criminal record has been given by the Advertiser.

Henry Vierra, the lately discharged clerk of the Public Works Department, had his plea to extortion reserved by his counsel, F. E. Thompson.

DISPOSITION OF CASES.

There were no criminal cases ready for trial when defendants were called and asked if they desired trial this term. Judge Gear then ordered all criminal matters on the calendar prior to the latest indictments continued until the January term.

The trial of Emmett May previously set will come on before Judge Robinson, with Judge Gear's jury panel to draw from, at 10 o'clock this morning.

Hop Sing How's habeas corpus case was continued until Monday next, when the Attorney General will have made return for the High Sheriff. The petitioner is contesting his sentence for keeping a lodging house without a license. Judge Gear held the law unconstitutional in another case, and now Judge Robinson will pass on the question independently. Should his decision sustain the law, there will be a chance to let the Supreme Court finally settle the question.

The Parker guardianship case is continued until January 4 at 10 a. m.

The Rubinstein-Hackfeldt injunction suit relative to the Little Joker tobacco agency is set for January 16 at 10 a. m.

JUDGE GEAR'S FLITTING.

Before hastening out to board the transport Sheridan for San Francisco, Judge Gear wrote and signed the following order:

"In the Circuit Court of the First Circuit, Territory of Hawaii. At Chambers.

"It is hereby ordered that all matters now pending before me at Chambers, excepting cases on trial and not concluded, be transferred to the Hon. W. J. Robinson, Third Judge of the Circuit Court for the Territory of Hawaii.

"GEO. D. GEAR."

"Dec. 7th, 1924."

JUDGE ROBINSON PRESIDES.

Judge Robinson takes charge of criminal matters remaining of the present term, under the following order signed by the three First Circuit judges yesterday:

"It is hereby ordered that from and after Wednesday, December 7th, A. D. 1924, Hon. W. J. Robinson, Third Judge of the above-entitled Court, be and he is hereby designated and constituted Presiding Judge of the above-entitled Court for and during the remainder of the September, A. D. 1924, Term of this Court, in the place and stead of the Hon. George D. Gear, Second Judge of said Court."

DIFFERENT CASE ENTIRELY.

Judge Robinson made an order overruling the plea in bar of defendant in the covenant suit of Chung See vs. Kahana Meek. It discusses the legal points at length. The plea in bar set up a judgment in the case of Kahana Meek vs. Chung See and J. R. Mills, for an undivided half interest in the premises involved and \$156.56 damages and costs, as an estoppel. That judgment was on the strength of a paramount title. Chung See is now suing for breach of covenant in a lease which was assigned to the present defendant, who was plaintiff in the lawsuit just mentioned, claiming damages for the curtailment of tenancy and the value of improvements.

The court finds that "a judgment against a defendant is not conclusive as to a settlor or counter claim which he might have pleaded to an action. In the absence of a statute a defendant having a cross-demand against the plaintiff may, at his option, either use it in the pending suit as a setoff, or reserve it to be used as the basis of an independent action. This failure, therefore, to plead it does not preclude him from bringing a subsequent action for it." The order concludes:

"The case at bar presents an entirely different cause of action from that presented in the former case, the judgment in which is relied upon as a bar to the present action, and in my opinion such judgment operates in the case at bar, as an estoppel only as to those matters in issue or points of controversy which were actually litigated or decided in the former action and upon which the judgment therein was based.

"It is ordered that the defendant's plea in bar be and the same is hereby overruled."

THE HOLT ESTATE.

Judge Gear signed an order appointing Carlos Long in place of Henry Smith, resigned, as administrator de bonis non cum testamento annexo of R. W. Holt, who died on or about some day in November, 1922, under \$20,000 bond. The estate is stated in the order to be of the value of \$110,000. George A. Davis represented the petitioner.

HABEAS CORPUS DENIED.

In the case of Fukunaga, the Japanese fisherman imprisoned in default of paying a fine of \$50 and costs for fishing within the bounds of the Honolulu fishery, Judge De Bolt yesterday rendered an oral decision holding that the judgment of the lower court was valid. He therefore ordered the writ of habeas corpus dismissed and the petitioner, Fukunaga, remanded to the custody of the High Sheriff.

Geo. A. Davis, attorney for petitioner, gave notice of an appeal to the Supreme Court. Fukunaga was released under his former bond of \$50, S. M. Ballou for the prosecution making no objection.

The ground of the petition for the writ was that the United States Congress, in the Organic Act, had repealed the proprietary fishery laws of Hawaii. At the trial before District Magistrate Hookano of Ewa, proof was given that the O. R. & L. Co., owning the Honolulu fishery, had taken the steps required by the Act of Congress in question to establish its vested right in the fishery, the Act excepting from its operation such sea fisheries as might be held under vested rights.

THE DISPUTED CONTRACT.

C. S. Holloway, Superintendent of Public Works, and J. H. Fisher, Auditor, answer the complaint of Lord & Belsor, contractors, against John Walker, contractor, and themselves. They deny that Walker's bid for dredging the Alakea street slip was not accompanied by a certified check of 3 per cent of his proposal and that the paper filed by Walker was not a certified check within the meaning and intent of the advertisement for bids. Also, they deny "that the contract is null and void and contrary to law and the awarding thereof to the said John Walker as set forth in said contract was illegal and unfair and will result in irreparable injury to the complainants herein as well as to all other taxpayers of the Territory, and will deprive said complainants of their right of fair, equal and impartial competition under the law of bidding on public contracts."

COURT NOTES.

Caroline Teves widow, petitions that she be appointed administrator of the estate of her late husband, Eduardo Jose Teves, which is valued at \$129.50 and consists of certain leaseholds with improvements, excepting an item of \$299.50 as the value of 25 shares in the Phoenix Savings, Building & Loan Association.

Charles Clark, attorney for plaintiff, has filed a discontinuance of the assumpsit suit of Allen & Robinson vs. Frederick W. Knight, defendant, and Carl Du Roi and William Wolters, garnishees.

Albert Barnes vs. C. R. Collins, bill for dissolution of partnership and accounting, was argued before the Supreme Court yesterday morning. Whitney and Clemons for plaintiff; Dunne for defendant.

Samuel Parker by his attorneys, Magoon and Lightfoot, has made answer denying every allegation of Sidney M. Bullou's complaint, in which \$50,000 is claimed as damages for libel. The plaintiff having rested in the ejectment suit, with \$3000 damages claimed, of Ching Man Sing vs. Mary A. Richards et al., M. Withington for defendants moved for a nonsuit. Judge De Bolt denied the motion, exceptions were noted and evidence for the defendants began to be put on.

William R. Sims was appointed by Judge Gear master on accounts of the estate of Tokujiro Nilya.

WEAKNESS

When you are weak, nervous, and all run down, everything seems to go wrong. Ayer's Sarsaparilla will build you up, make your nerves strong, and give you pure, rich blood. Here is what a nurse of large experience says about it.



Mrs. E. B. Chappell, Stawell, Victoria, sends us her photograph, and writes:

"I have been a nurse for thirty-five years, and I take great pleasure in recording my experience with Ayer's Sarsaparilla and Ayer's Pills. I have used these medicines in different parts of the world, both for myself and my patients. I have had great success with them, especially in cases of nervous prostration, impure blood, skin diseases, and weakening illnesses in general. I most heartily recommend these medicines to all sufferers from any of the above-named distressing complaints."

AYER'S Sarsaparilla

There are many imitations of Sarsaparilla. Be sure you get "Ayer's." Ayer's Pills cure constipation. Sugar-coated, mild, but effective.

Prepared by Dr. J. C. Ayer & Co., Lowell, Mass., U.S.A.

HOLLISTER DRUG CO., Agents.

INTERESTS OF TERRITORY AT WASHINGTON

Ship Subsidies --- The Postoffice --- Rivers and Harbors---Secretary Atkinson---New Territories Committee---Carter's Report---Cabinet Changes.

(Mail Special to the Advertiser.)

WASHINGTON, D. C., Nov. 21.—The session here this week of the Commission of Congress that has been conducting an inquiry about ship subsidies will probably be followed by interesting recommendations to Congress. These recommendations, as learned from inside sources, are not calculated to please owners of shipping on the Pacific. The inside word here is that the Commission contemplates recommending a subsidy in the shape of liberal compensation for carrying mails and also a tariff rebate on goods brought into this country in American built bottoms.

The details will develop later, but the outline of the plan is of chief interest. No members of the Commission are yet in town, so as to permit of verification of this report, but there is reason for believing the report correct in all essentials. Such a recommendation might possibly be followed by immediate legislation, especially if the recommendations are of a character to commend themselves to the Republican members of the House from the middle West. Those Republicans have been so hostile to the old subsidy plans, incorporated in the bills passed by the Senate, that supporters of the measure have realized the futility of pressing it before the House. Such a recommendation, too, would remove certain Democratic opposition. There have been Democratic Senators to advocate the tariff rebate plan.

The several lines of steamers on the Pacific have joined forces for several years with the steamship lines on the Atlantic for the enactment of the old Hanna-Payne bill. The recommendations of the commission will make the enactment of such legislation more of an impossibility. However, with such an enormous majority in the House as the Republicans will have after March 4, the chances of radical subsidy legislation might be better than heretofore.

THE POSTOFFICE.

Mr. William Haywood, who has been watching the rivalry for the postoffice appointment, said today that the endorsement of Gov. Carter would undoubtedly decide it. Whenever an important Hawaiian appointment comes to him for decision, the President almost invariably wants to know what Gov. Carter thinks about it or what Carter has recommended. In nearly every case Carter's recommendation decides.

RIVERS AND HARBORS.

Mr. Haywood has prepared exhaustive data and other information for presentation to the House River and Harbor Committee, which is scheduled to meet here tomorrow and frame a bill for presentation to Congress next month.

HAWAII'S NEEDS APPEAR IN PRESIDENT'S MESSAGE

WASHINGTON, D. C., Dec. 6.—President Roosevelt's message was read in both Houses of Congress today. The President advocates liberal appropriations and warns Congress against extravagance.

On capital and labor he claims that both are entitled to equal protection and both must obey the laws.

He holds that the National Government should control the great corporations and that railroad rebates must stop.

Agriculture, irrigation and forestry should be promoted by every means possible and the message is strong on the needed improvement in the Consular Service.

A national quarantine law is deemed desirable.

On the financial question the President holds that silver should be redeemable in gold.

He favors the advancement of the merchant marine, development of Oriental markets, regulation of immigration, revision of the naturalization and citizenship laws, protection of the purity of the ballot, an Alaskan Delegate, a peaceful foreign policy, an efficient army and navy, international arbitration, protection of Americans abroad, continuance of the present policy with lower tariff rates for the Philippines.

Dealing with Hawaii the President recommends that the Governor be given the power to remove subordinates, appropriations for the dredging of Honolulu harbor, and the study of leprosy by the Marine Hospital Service.

The tariff is not mentioned.

PRESS COMMENT FAVORABLE.

LONDON, Dec. 7.—Press comment on the President's message is extremely favorable in character.

HAWAIIAN NOMINATIONS.

WASHINGTON, D. C., Dec. 6.—The nominations of Chief Justice Frear, Associate Justices Hartwell and Hatch and Circuit Judges Matthewman, Parsons and Hardy were sent to the Senate today for confirmation.

TERRITORIAL ESTIMATES.

WASHINGTON, D. C., Dec. 6.—Secretary Shaw has sent Congress the estimates made by Governor Carter for dredging Honolulu harbor at \$250,000, refund to the Territory \$175,022, one million dollars for Honolulu Federal building and a million for Hilo Federal building.

APPENDIX TO ESTIMATES.

WASHINGTON, Dec. 7.—The letter sent by the Honolulu Chamber of Commerce appears on the appendix to the estimates of expenditures submitted to Congress by Secretary of the Treasury Shaw.

er, of the Worcester, Mass., district. Mr. Robinson who has represented a close district for many years was overwhelmed in the Republican landslide. He has frequently championed Hawaiian measures in the House and has done the Territory many favors from time to time. Mr. Thayer, while less active, was regarded as a man of splendid sense, whose word carried great weight with the House. He has been coming to Congress from a district, normally Republican and this year refused a re-nomination. His successor is Gen. Rockwood Hoar, son of the late Senator Hoar.

In the next Congress there will probably be a Republican or two more on the Territories committee, than now, because of the increased Republican vote in the House. There is no way of telling now, and probably will not be for a long time to come, what the personnel of the new Committee will be.

SENATE COMMITTEE CHANGES.

There will also be important changes in the Senate Committee on Pacific Islands and Porto Rico, which handles Hawaiian legislation at that end of the Capitol. Senator Foraker will remain chairman, just as Representative Hamilton will probably remain chairman of the House Territories Committee. Senator Depew, of New York, the second Republican on the committee, may be re-elected, but that is not certain yet. Addison G. Foster of Washington State, who has been more or less active in Hawaiian matters and was a member of the Commission that visited the islands, will probably not be re-elected. Thomas Kearns of Utah, who never paid much attention to the work of the committee, will almost surely be succeeded by some other Republican, as things are understood here. Then there is Senator Burton of Kansas, under sentence of fine and also of imprisonment, who does not return to his seat, unless the Supreme Court sets aside the verdict of the court at St. Louis. On the Democratic side the Committee loses an influential senator in the person of F. M. Cockrell of Missouri. He won under unexpected and will be succeeded by a Republican. Mr. Cockrell never gave special attention to Hawaiian legislation but nevertheless was very influential in opposing or assisting bills through the senate.

GOV. CARTER'S REPORT.

At the Interior Department this afternoon, it was stated that Gov. Carter's report, sent to the islands a second time for correction, has now been finally returned. It has been sent to the Public Printer and, according to expectations, will be released for publication within a few days.

CABINET CHANGES.

It is not improbable that under the next administration of President Roosevelt there will be a new Secretary of the Interior. A good deal has been printed about the prospects of Secretary Hitchcock resigning and also about the prospects of his remaining in the cabinet. The facts are the President does not know for sure yet whether he will retain Mr. Hitchcock or not. As the Secretary of the Interior supervises and handles practically all the business of the Federal government with the Territory of Hawaii he is the most important member of the cabinet to the islands. The President has decided upon all the other new members of his cabinet excepting the Secretary of the Interior and the Secretary of the Treasury, having today announced that Attorney General Moody would remain.

Mr. Hitchcock has been a pretty good friend of the Territory and has shown a disposition to be fair in all his dealings with Territorial officials. There is some talk about electing him Senator from Missouri, but it is said to be somewhat doubtful whether he could command a majority of the legislature. There are two or three other men, very influential in Republican politics of Missouri, whereas Secretary Hitchcock never has been very strong with the practical politicians. No name has been suggested as his successor, although it has been thought that possibly Mr. Francis E. Leupp, Washington correspondent of the New York Evening Post, whose appointment as Indian Commissioner is to take effect January 1 has just been announced, might possibly be promoted. He is an intimate friend of the President and stands high with his profession. There is one Washington newspaper correspondent now in the cabinet—Postmaster General Wynne—but it is certain that Mr. Wynne will not remain there after March 4, because the place was promised to Chairman Cortelyou several months ago. Mr. Wynne, however, will be cared for.

ERNEST G. WALKER.

OIL FOR THE BODY

You can't lose an atom without feeling it. The body is like an engine, a watch, a machine; must be kept in good order to run right.

That's the reason Scott's Emulsion is so successful in all wasting diseases. It feeds, nourishes and strengthens when ordinary food won't. Doctors say Scott's Emulsion is the best nourishment for those who are not as well as they should be.

We use the whole oil in Scott's Emulsion because the great reputation of cod liver oil as a food and medicine was made by using it in this way. Substitutes in the shape of wines, cordials, extracts, etc., should be carefully avoided.

We'll send you a sample free upon request. SCOTT & BOWNE, 409 Pearl Street, New York.

WOULD END SEGREGATION

System of Forty Years Attacked By Law Proceeding.

(From Thursday's Advertiser)

C. W. Ashford yesterday filed the petition of Emma L. Kaipu for a writ of habeas corpus in behalf of her mother, Mikala Kaipu, to secure her release from the custody of the Board of Health at Kalihui receiving station. Judge Dole ordered process to issue, returnable before him at 10 o'clock this morning. The writ is directed to L. E. Pinkham, President of the Board of Health, upon whom it was served by F. L. Winter, Office Deputy Marshal, immediately after its issuance.

Mikala Kaipu, the subject of the petition, is stated by her daughter to be of the age of 47 years or thereabouts. Her home is at Lihue, island of Kauai, and she is alleged to have been forcibly and against her will arrested in the city of Honolulu about two months since, taken immediately to the receiving station and there ever since confined. The petitioner represents that she makes and verifies the petition on behalf of her mother, for the reason that her mother is closely confined at the receiving station and unable to act for herself in the matter. She alleges on her belief that she would not be permitted by Pinkham or his subordinates to visit the said Mikala Kaipu, for the purpose of obtaining her signature to the petition, and further that she fears that Pinkham and his subordinates will forcibly remove her mother from the island of Oahu and transport her to the leper colony at Molokai "within a very few hours from the date of the verification of this petition unless he, the said Pinkham, and his subordinates shall be restrained from such action through the medium of a writ of habeas corpus to be issued in this behalf for the production of said Mikala in court."

It is declared by the petitioner, on information given by her mother, from which and from personal inspection and observation she believes, "that her said mother is not in fact afflicted with the disease of leprosy, and is not a leper, and is not and never has been legally subject to condemnation and transportation as a leper, even though the pretended laws, rules and regulations in that behalf, now generally in force in the Territory of Hawaii were and are constituted and otherwise valid in point of law."

Thus far the complaint is a specific one regarding the subject individually, but what appears in portions of the petition quoted below is an attack upon the system of segregation of lepers followed, more or less strictly, in these islands for about forty years past. In the sixth clause of the petition it is declared:

"That petitioner's said mother has never been publicly or otherwise legally placed upon trial or examination to ascertain the fact whether or not she is so afflicted with leprosy or is a leper, and has never been accorded—nor has this petitioner, as her daughter and protector, nor has any other person on her behalf ever been accorded—any notice of any proposed hearing or examination of or into such fact, or any opportunity to produce evidence, either scientific or otherwise, in her behalf as to the fact of her being leprosy and otherwise."

Then allegations already noted are made, followed by the tenth clause, thus:

"And your petitioner further represents that she is advised and believes that said arrest, imprisonment and detention of said Mikala, as well as her proposed and impending removal and transportation to said leper colony is and are unwarranted by any valid statute, rule, regulation or ordinance existing in the premises, and that the same have at all times been and are now unwarranted in law, and were and are contrary to the rights of her, the said Mikala, under the Constitution of the United States, and that the said arrest, detention and threatened transportation of this petitioner's said mother is and are contrary to, and in violation of the rights of this petitioner as the daughter and natural protector of her said mother under the law and the Constitution of the United States."

The prayer of the petition is to have the body of Mikala Kaipu produced before the court, and then the court "to inquire into the legality of the detention of her the said Mikala Kaipu and further do and procure to be done whatsoever the law and the rights of parties herein shall warrant."

The system of consigning persons to the Settlement in vogue is, in brief, as follows: First, a period of probation at the Kalihui receiving station under medical surveillance. Second, a final examination and verdict by a board of physicians, the finding to be submitted to the Board of Health for approval. It is in fact a much stricter and more scientific system than that under which persons are committed to the insane asylum.

SPRAINED ANKLE, STIFF NECK, LAME SHOULDER.

These are three common ailments for which Chamberlain's Pain Balm is especially valuable. If promptly applied it will save you time, money and suffering when troubled with any one of these ailments. For sale by all Dealers and Druggists. Benson Smith & Co., Ltd., Agents for Hawaii.

FIGHT OVER KONA SALE

Confirmation Is For the Time Held Up.

There was a warm contest before Judge Robinson late yesterday afternoon over the question of the confirmation of the sale of South Kona property under foreclosure in the suit of H. Hackfeld & Co., Ltd., vs. W. C. Achi, Kapiolani Estate, Ltd., W. R. Castle and J. M. Monsarrat.

Mr. Withington, representing Mr. Castle, attacked the report of the receiver, Franz Buchholz, saying the building of the fence to make a corral for rounding up the stock on the premises was unnecessary. He went on to say that it was an unheard-of proceeding to sell stock without giving information at the sale regarding the number of animals, whether it was one or a hundred head.

Mr. Ashford, on behalf of Kapiolani Estate, took up the same objection of blind selling of stock and went on to question if the best advantage had been obtained by all concerned from the sale as a whole. He was informed, when in Kona some time ago, that it was next to impossible to buy land in that section. The land was held in large tracts, most of it by "that old man of the sea, the Bishop Estate, resting on the country's neck and likely to continue so doing for generations to come."

Mr. Cooper, representing the plaintiff and petitioner, replied, maintaining that all the proceedings had been conducted with utmost publicity and the contestants were themselves to blame for any lack of information under which they might labor. It was contended that the court, in proceedings before the sale, passed upon all of the objections now raised. Finally, with the consent of the court, he proceeded to read the report of sale with accompanying affidavits as to notice, sufficiency of value realized, etc.

Messrs. Ashford and Withington joined in objections to the documents and when they were overruled noted exceptions. Next they strongly opposed the formal motion for confirmation of the sale.

Mr. Cooper argued that the case was different from that of Silva vs. Lopez, as the mortgage here did not enumerate the cattle, hence the wording of the notice was exactly in conformity with the terms of the mortgage. The mortgage was general in its terms and the sale likewise.

Mr. Withington warmly contended that the price obtained was ridiculously small, and represented it to be improper that the sale should have been made to an officer of the court, meaning the receiver, who was the only person having definite information of the property that was sold.

Mr. Cooper objected to any appearance for W. R. Castle, as he had no interest in the property sold. His mortgage was of other land. There was no surplus in question, the debt being \$37,000 and the realization \$13,000, in round figures.

Judge Robinson was about to make an order confirming the sale, when Mr. Withington asked if that was to be done without a hearing. In answer to the court he said he had evidence to put in if permitted.

The hearing was therefore extended, and Mr. Cooper, being called by Mr. Withington, testified regarding the circumstances of the sale.

Mr. Monsarrat, who in the meantime had formally protested against confirmation for the purpose of saving his own rights, was next called. His statement that Mr. Buchholz wrote to him saying the property was worth \$50,000 was struck out, as not responsive to the question of value at sale, when he had explained that the letter was written some years ago. However, he testified his belief that the value of the property at the time of sale was at least double what it sold for.

At 5:25 Mr. Withington begged for continuance of the hearing, saying he had been on a jury case all day, besides attending to several other matters.

"Perhaps the court is ready to rule," Mr. Cooper suggested, but, after some conversation, the hearing was continued until 4 p. m. Monday.

LAW OF EMBEZZLEMENT.

An important point was before the Supreme Court yesterday in the case of Edward Vivian Richardson, charged with embezzlement as clerk of the Honolulu Water Works. E. C. Peters represented the Territory, and A. G. M. Robertson the defendant.

Mr. Robertson contended, producing authorities from different States, that Richardson was not liable to indictment under the statute referred to therein, because there was no law that made the clerk of the Water Works bureau an official charged with, and responsible for, the custody of public money. A distinction was drawn between the general statute of embezzlement and the provision in the Audit Act under which Treasurer W. H. Wright was indicted, which declared certain officials to be public accountants and responsible for moneys coming into their hands as such. Counsel argued that Richardson's office was not that of a public accountant.

ORDERED TO BEGIN WORK

Holloway Takes Next Step in Insane Asylum Contract.

"I have written the contractors for the construction of the main building of the insane asylum, the Hawaiian-American Construction Company, a letter notifying them to proceed with work on the building," said Commissioner of Public Works Holloway yesterday.

"And can they make the cement blocks according to the specifications?" the Commissioner was asked.

"Well, I suppose they can make them."

"What was the nature of the letter, Mr. Holloway?"

"It was a mere formal notification to begin work."

What the next step will be nobody seems to know. The matter was understood to be in the Governor's hands yesterday, but there was no indication from the chief executive of the Territory that any decision had been reached—if it is up to the Governor to make a decision. Mr. Holloway, however, had said several days ago that he would give the Hawaiian-American Construction Company time to hear from Mr. Amweg by the steamer Sonoma, and the time given was up on Wednesday. The notice to go ahead with the work probably follows a failure to hear from the contractors as to what Amweg has accomplished.

"We have received no notice from the Commissioner of Public Works to go ahead with work on the insane asylum contract to-day," said Mr. Withington, speaking for the contractors last night. "The matter is in the hands of the Governor. That is all we care to say concerning it at this time."

It was nearly five o'clock in the afternoon when Mr. Holloway said that he had sent the letter to the contractors, so it might well not reach its destination until to-day.

Mr. Peters in reply laid stress on the provision of the embezzlement statute, making one an embezzler who converted money to his own use which had been received by him in a public capacity either through "appointment" or "regulation."

SEA FRONTAGE DISPUTE.

One of the cases recently argued and submitted before the Supreme Court that of Territory of Hawaii vs. L. B. Kerr. The defendant appeals from an injunction against building a retaining wall into the sea at Waikiki, taking in new land from the domain of the Pacific Ocean. P. L. Weaver represented the Territory and S. H. Derby the defendant.

FUNERAL WRECKING SUIT.

Return of summons for the January term has been made in a suit brought by Francis Jose against Honolulu Rapid Transit and Land Co., claiming \$5000 damages on account of the wrecking of the hearse containing the dead body of the plaintiff's wife, from being struck by an electric car on King street on the 4th day of September, 1931. It is alleged that the car was negligently and at an unlawful rate of speed being driven at the time and place of the collision and that no bell, gong or alarm was sounded before the car struck the hearse. The hearse was broken and the coffin demolished, it is represented, with consequences whereby the plaintiff "was greatly nauseated and sickened and sustained and suffered a great nervous shock, and sustained and suffered great mental anguish and pain." A. S. Humphreys is attorney for plaintiff.

OLD DIVORCE CASE.

The divorce case of Mary Naukana Duncan vs. Adam L. Duncan, in which an order of temporary alimony of \$5 a week was made on March 27, 1930, came on again before Judge De Bolt yesterday. C. W. Ashford appeared for the libellant and the libellee in person. The court, after hearing evidence, granted the divorce on the ground of non-support and ordered the libellee to pay the libellant's counsel a fee of \$50 and also to pay the costs of court. It was further ordered that the ownership and custody of the household furniture and effects be confirmed to the libellant.

COURT NOTES.

Carlos A. Long filed his bond in \$20,000 as administrator de bonis non with the will annexed of the estate of Robert William Holt, deceased, with John P. Colburn, Jas. F. Morgan and Antonio A. Long as sureties. Judge Robinson approved the amount of the penalty and the sufficiency of the sureties.

Identical demurrers to the pleas in abatement of defendants have been filed for plaintiff by its attorneys, Kinney, McClanahan & Cooper and C. A. Galbraith in the suit of Wm. W. Bierce, Ltd., vs. Clinton J. Hutchins, trustee, and Arthur B. Wood, William Waterhouse and Albert Waterhouse, executors of the estate of Henry Waterhouse.

Judge Robinson continued the trial of Emmett May, indicted at the May term for embezzlement, until Monday morning.

The ejectment case of Ching Man Sing vs. Mary A. Richards et al. goes to the jury before Judge De Bolt this morning, the matter of instructions having been arranged yesterday afternoon.

Surgeon E. G. Parker, U. S. N., accompanied by his wife and family, is going to Samoa in the Sonoma to report for duty at the Pago-Pago naval station.

POLITICIAN IS INDICTED

Grand Jury Makes Two Charges Against Jim Kupihea.

Although he was indicted twice by the Territorial grand jury yesterday, nevertheless "Big Jim" Kupihea was not given a chance to play checkers with his nose behind the bars of the prison where he had served so long and so efficiently as a turnkey. The indictment of "Big Jim" was the culmination of all the investigation of the alleged irregularities at the last election on the part of the grand jury. The warrants for the indicted man's arrest were hardly more than issued before Kupihea was formally arrested, and at once admitted to bail in the sum of \$1000.

There were two indictments against Jim, the first charging that he had gone to the polls along with four others—in other words as one of an organization, contrary to the provisions of the statute—and voted in a body. This is the famous "Red Shirt" brigade, of which it is charged that the indicted man is a leader. The organization, apparently, was not large.

The second indictment charges Jim with threatening voters, thereby compelling them to vote otherwise than as they would have done. This charge, it is understood, relates to the so-called "numbered ballots," and is therefore the charge upon which Colonel Laukae probably counts to make some kind of a showing in his contest of the delegate's seat in Congress, which contest Laukae is quoted in one of the evening papers as saying that he would commence at Washington. Whether Laukae will wait for the action of the special Federal grand jury before beginning his contest is not stated, but inasmuch as the Federal grand jury was called in his behalf he should wait, as a matter of common politeness.

There were six indictments handed by the grand jury yesterday but only those against Kupihea were of special moment. Of the others, all of which were placed on the secret file, three were ascertained from the arrests last night to be against persons accused of selling liquor illegally. The three who were arrested were M. S. Frietas, M. G. Silva and a Japanese woman of the name of Ito. All three were released upon the deposit of \$200 bail. Frietas and Silva, it was said in official circles yesterday, are old offenders.

RECEPTION TO THE REV. DR. SCUDDER

The following is from the Boston Globe:

WOBBURN, Nov. 11.—Four hundred guests attended the harvest supper in the vestry of the First church last evening. The glad festival was preceded by a reception in the church auditorium to Rev. Dr. and Mrs. Doremus Scudder, formerly of this church, who are taking a brief rest from their religious and educational work among the Japanese in Hawaii. The occasion was not only a homecoming of the parish but a testimonial of respect from many citizens outside the pale of the church.

The banquet tables occupied fully the spacious vestry and were tastefully decorated with the Japanese flower, the chrysanthemum. At the guest table were seated: Rev. Dr. and Mrs. Stephen A. Norton, Rev. Dr. Daniel March, Rev. Dr. and Mrs. Doremus Scudder, Rev. and Mrs. D. Augustine Newton of Winchester, Mr. and Mrs. Elwyn G. Preston, Mr. and Mrs. H. F. Ordway of Winchester, the latter a sister of Dr. Scudder.

At the exercises succeeding the supper Rev. Dr. Norton, the pastor of the old church established in 1840, presided. The sentiments with respondents comprised: "Our happy family," the pastor; "The friendly brotherhood," Mr. Preston; "Good neighbors," Rev. Mr. Newton of the Congregational church, Winchester, a daughter of the church in Woburn; "A welcome home," Rev. Dr. March, pastor emeritus; "Old friends and new," Rev. Dr. Scudder. A feature of the evening was the singing of Miss Jennie Treacpan, soprano of the church quartet, selections comprising "When Celia Smiles," "Auld Lang Syne," "Dear Homeland," "My First Love," and "You'd Better Ask Me." The divine blessing was invoked by Dr. March, and the benediction was spoken by Dr. Scudder.

The keynote of the evening was the home and friendship, and the speakers, most happily introduced by the pastor, Dr. Norton, presented their respective phases of the topic with rare ability. The beloved pastor emeritus, Dr. March, now in his 89th year, was most felicitous in his address and poem of welcome, and the response of the ex-pastor was surcharged with an earnestness at once feeling and eloquent. The fact that the trio of speakers—Drs. March, Scudder and Norton—represented 34 years of pastoral service in this venerable church lent dignity and effectiveness to their words.

The guests were served by a corps of young people under the supervision of Mrs. J. W. Fox and Frank R. Clark.

John F. Colburn, with his young son, returned from the coast in yesterday's steamer.

NEW ROOM FOR SENATE

Will Meet in Upper Hallway of Capitol Building.

The Senate of the Territory of Hawaii will hold its sessions in the upper hallway of the Capitol building. It must not be concluded from this bald statement of fact that the honorable gentlemen composing that august body will be compelled to sit in the sight of the multitude, with Territorial officers having business on the upper floor, and tourists and the hotel pool generally passing along to disturb their deliberations at the sweet will of the passers.

Not at all. The Senate will meet in what is now the hallway, but in what will be a very pleasant and fitting meeting room indeed when the present plans of the Public Works Department are carried out.

Senator Paul Isenberg called on Commissioner Holloway yesterday morning, and the matter of a meeting room for the Senate, already given serious consideration by the administration, was gone into at length. The whole subject of a meeting place was thrashed out pretty thoroughly. Then, in the afternoon, Commissioner Holloway announced the determination to put the Senators in the upper hall.

"I have put men on the plans for a room today," Mr. Holloway said. "The meeting room will extend from the front windows facing on the verandas back almost to the head of the stairway, and the Senate will have the use of a part of the Secretary's room for a committee room. Their clerk of the Senate will have his office in the same room off Secretary Atkinson's office that he used at last session. The new quarters for the Senate will be most convenient, and the walls will be deadened so that the noise of persons passing along the hallway will not disturb the debates. A passage way will be left open along which to reach the offices of the Attorney General and the Auditor."

The new Senate room will be about fifty feet long by twenty-five wide, and will therefore be larger than the quarters occupied at the last session. The big front windows, opening on the upper veranda, will also afford means of much superior ventilation. The House, of course, will meet in the throne room down stairs, as it did during the last session, and this providing of quarters for the Senate removes all apprehension that the Solons would claim a rooin occupied by some one of the department, and compel a burdensome and expensive removal.

EXAMINING BOARD FOR NEW LAWYERS

Hitherto candidates for license to practice law in the higher courts of the Territory have been examined by one or more of the Justices of the Supreme Court. A committee of the bar will henceforth conduct such examinations, as witness the following order by the Supreme Court yesterday promulgated: "It is hereby ordered that Henry E. Cooper, Arthur A. Wilder and Robins B. Anderson of the bar be, and they are hereby, appointed a committee to examine applicants for admission to the bar of the Supreme Court of the Territory of Hawaii."

PETREL COMES TO BE THE STATION SHIP

(Continued from page 1.)

do had been in a measure cut out for it. The gunboat Petrel, commanded by Lieutenant-Commander Woods, sailed away across the Pacific, at all events, stopping at Hilo, which was a thing almost without precedent. Woods, however, wanted to see the volcano and went to the Volcano House with a party of officers from his ship and a couple of visitors in Hilo, and spent one night viewing the crater of Kilauea. The party returned to Hilo the next day and the Petrel sailed away for the coast of China.

She joined Dewey's fleet at Hongkong and sailed with that great officer when he left Mrs. Bay to "capture and destroy the Spanish power." She was in his line when he entered the Boca Grande, passing the forts on Corregidor and Caballero Islands in the darkness of night, and she gave a splendid account of herself in the action which saw the utter destruction of Admiral Montojo's fleet, that fleet whose strength had led the Spanish admiral to invite his friends to dinner on board the Olympia, which he expected to fall an easy prey to his guns.

"But," said Montojo, by way of explaining his defeat, "the Americans do not make war like gentlemen. They attack before my men are ready, and give us no time to eat breakfast."

After bearing her share of the principal combat in which Dewey's fleet

CLOSE ON A CENTURY

"Mother" Parker Ninety-Nine Years of Age Today.

"Mother" Parker will be ninety-nine years old today.

Few lives have been so full of honors as hers, and few have lived to see their life work crowned as she has. Mary Elizabeth Parker was born at Branford, Connecticut, on December 9, 1832, and was married at Guilford, Connecticut, September 24, 1832. While she was still a girl, Mrs. Parker heard in New York city a lecture, given by an eye-witness, descriptive of savage life in the South Sea Islands. She at once declared her purpose to become a missionary to those people, and she came to her purpose. The opportunity came in 1833, when three families, hers being among the number, were detached from the Hawaiian mission and sent to Christianize the cannibal natives of Marquessa. The experience was a short one, but "Mother" Parker did her duty while it lasted.

Since then, through thirty-seven years of active life in Kaneohe and thirty-five years in Honolulu, she has been a mother to her people, bestowing sympathy, good counsel and gifts, and she has never lost faith in the ultimate good outcome of problems of church and state.

"Mother" Parker's sight is failing now, and it is difficult for her to get about, but she has the best of care. "Mother" Parker has had four children, and has many grand children but only one son living, namely Rev. Henry H. Parker, pastor of Kawaiahae church.

EVERYBODY USES CHAMBERLAIN'S COUGH REMEDY.

"Mothers buy it for croupy children, railroadmen buy it for severe coughs and elderly people buy it for a gripe," says Moore Bros., Eldon, Iowa, U. S. A. "We sell more of Chamberlain's Cough Remedy than any other kind. It seems to have taken the lead over several other good brands." For sale by All Dealers and Druggists, Benson Smith & Co., Ltd., Agents for Hawaii.

A son of Mr. and Mrs. Chas. M. Keahinu of Wailua, attending Iolani college, was reported improving yesterday after an operation for appendicitis performed by Drs. Taylor and Hodgins.

was engaged, it was the Petrel that steamed close in to the fortress of Cavite and put the finishing touches to the victory by shelling and sinking the Spanish gunboats, Isla de Cuba and Isla de Luzon, at close range. It was the crew of the Petrel, too, that ran up the American flag on Cavite, landing to stop the looting of the town that had begun by the Filipinos as soon as it was apparent that the Spaniards were beaten, and the Spanish garrison could hold the place no longer.

The commander of the Petrel was the first naval commandant of the Navy Yard at Cavite, where large shops well equipped for making all kinds of naval repairs were found. He died there just after he had been ordered home, his relief coming too late to save him. Captain Wood, for he had earned his grade by his participation in the battle, was one of the first Americans to fall victim to the climate of the Philippines. He had done his service before the Americans had time to give the islands the thorough sanitary clean-up to which they have since been subjected.

Of the officers who served on the Petrel in the days of her greatest glory there is not one on the roster now. Her present staff, nevertheless, would doubtless do their duty as gloriously if the chance came to them. For that is the manner of the American naval man. The Petrel, with her full complement, carries 126 men, and has the following staff of officers:

Lieut.-Commander, Francis H. Sherman, U. S. N., commanding.

Lieut. C. C. Fewel, U. S. N., executive officer.

Lieut. C. F. Snow, U. S. N., engineer officer.

Lieut. W. P. Cronan, U. S. N., navigating officer.

P. A. Surgeon, Charles H. De Lancy, U. S. N., medical officer.

Asst.-Paymaster James F. Kutz, U. S. N., pay officer.

Ensign George P. Brown, U. S. N.

Midshipman J. S. Abbott, U. S. N., watch and divisional officers.

The Petrel is an unprotected steel gunboat of 892 tons displacement and was first put into commission in 1889. She is 176 feet three inches long and 31 feet beam with a draft of 11 feet seven inches and her gross tonnage is 595.80. She has a single screw and a horizontal compound engine of 1095 horse power which drives her at a speed of 11.79 knots per hour. Her normal fuel supply is 100 tons and her full bunker capacity 212 tons.

The main battery consists of 4 six-inch breech loading rifles. The secondary battery comprises 2 three-pounder rapid fire guns, 1 one-pounder rapid fire gun, 2 one-pounder "M" rapid fire guns and 2 automatic Colts. Her watertight steel deck is 3-8 in. thick on the slopes and 5-16 in. on the flat. The contract price of the vessel was \$247,000 and her complement consists of eight officers and 126 men.

TO DEEPEN THE HARBOR

Honolulu Should Get Into Regular Appropriation Bill.

The published fact that the President has recommended an appropriation for dredging Honolulu harbor to a depth of 34 feet, on the suggestion in Governor Carter's report, has led to some discussion as to whether the Governor and the Chamber of Commerce are not at cross purposes in a most important matter, and a committee from the commercial body has called upon the Governor for a discussion of the question.

Now, as a matter of fact, there is no conflict whatever. A survey of the harbor has been made by the Commissioner of Public Works, showing what the Territory has done in the line of harbor improvement, and what it is deemed imperatively necessary shall be done by the Government at once, and at what cost, if Honolulu is to keep its place in the commerce of the Pacific.

The Territory has already spent more than a quarter of a million of dollars in dredging the harbor, to say nothing of the amount spent and to be expended in building the slips. All that was asked by the Governor was that Congress appropriate \$258,000 at once to dredge the harbor to a uniform depth of 34 feet, in order that the big ships that now make Honolulu a port of call and the bigger ships of the future might come into the harbor and right up to the wharves at all times. This is necessary now.

The recommendation that this be done went forward from the Governor's office several months ago and the importance of the matter was appreciated by President Roosevelt, who included the Governor's recommendation in his message, as has already been stated.

This is for the work that is needed immediately. Also, it is a wise move, from the standpoint of material advantage, to get Congress into the habit of including the improvement of the harbors of island ports in the Rivers and Harbors Bill at the earliest moment practicable. If the recommendation of the Governor had been delayed until the opening of the session of Congress there would certainly have been no appropriation for the dredging of Honolulu harbor included in the bill this term. For it is a matter requiring time to get any appropriation through Congress. To get into one of the regular appropriation bills requires even more time than to pass a special measure, providing that a special bill can be passed at all. But when the claim of any port to harbor improvement is once made manifest then the regular committee takes up the claim of that port thereafter always as a routine matter. A port must get into line, however, first.

There is no disposition anywhere to block the plan of the local merchants to get an appropriation for a preliminary survey for a general plan of harbor improvement and to prepare a project for the general betterment of the port facilities in time for the increased commerce all believe will follow the construction of the Panama canal and the closer relation of the commerce of the Pacific with the world's trade. It will be admitted that the port is too small, that the big steamers have difficulty in turning around once they are inside, and that it would be better if the harbor were even twice as wide as it is now. But all that is matter for the future.

The immediate need is for deeper water all over the harbor, and the Holloway survey shows that a general depth of 34 feet can be secured if Congress will spend as much money as the Territory has already expended in dredging. And that is as far as the Governor went and as far as the President has followed him in his recommendation. There has been and can be no conflict. All the interests here are working for the development of the commercial importance of the port.

POLICE GO TO WAILUA.

(Continued from page 1.)

afraid that the strikers were going to do them violence.

"When the strikers arrived at the camp the men there, fearing trouble, capitulated and agreed to join in the strike. That ended the possibility of trouble and it was decided to send ten of the police back, and although the other ten will stay until morning, they will have nothing to do."

"The strikers are holding a meeting to-night and I suppose they will send delegates to me with their grievances in the morning according to their regular custom. I cannot say what the grievances are nor whether they are just until I hear from the men. They have not told us anything of what they want. No laborers except the Japanese have struck, and none seem inclined to."

From reliable sources it was learned that the strike is for more pay. The cane loaders are getting about a dollar a day now, and are striking for more.

Most of the recent strikes have been for some one fairly good reason and about fifty imaginary ones. It is probable that the dispute will be amicably settled when the delegates from the strikers and the plantation manager get together this morning.

COMING BACK TO BE TRIED

Emmet May En Route to Meet Charge of Embezzlement.

The criminal calendar was called in Judge Gear's department of the Circuit Court yesterday, with a view to a general clean up of the present list of cases. The case of Solomon Meheula, clerk of the last legislature, charged with gross cheat, was definitely continued for the term. Attorney Chillingworth was on hand to bring on the Chang Hung burglary cases, but Attorney General Andrews said that Emmet May, charged with embezzlement, was coming to Honolulu on the steamer due from the coast tomorrow, on purpose to stand trial, and he thought that in consideration of this fact May should be given the preference.

Attorney Dunne, who represents May, asked that the case be set for trial on Thursday morning and, the Attorney General consenting the case was so set.

All the other cases on the calendar were allowed to stand for later disposition, but as there are only about seven more days of the term it is likely that all, even the Naone murder case, will go over.

SUED BY THE UNITED STATES. United States District Attorney Breckons has begun suit in the United States District Court, in the name of the United States against the two sureties for Levi P. Kahoe, formerly postmaster at Kapaa, who is now serving a sentence of a year for having embezzled government money. The sureties are a wealthy Chinese named Aloiau and the father of the prisoner, Isaac Kahoe.

When Kahoe's shortages were discovered and his books were examined he was found to be short \$1891, and upon promised restitution of this amount he got off with a comparatively light sentence. The actual cash to square the defalcation was not forthcoming, but Aloiau and the elder Kahoe made a joint note for the amount, \$1891 to Post Office Inspector Frank J. Hare. The note was for 90 days, but it has never been paid.

The suit is peculiar in that it is begun in the name of the United States, although the note was made to Inspector Hare personally.

COURT NOTES. Hoffman, Rothschild & Co. have begun suit against Leechu to recover \$300 on three separate promissory notes for \$100 each.

The hearing of the Parker ranch case went on before Judge Gear last night.

Defendant in the case of the Hawaiian Commercial and Sugar Co. vs. the Wallu Sugar Company today filed in the Supreme Court a withdrawal of its answer to the motion for a decree, and objection to entering a decree.

The Supreme Court continued its hearing of arguments in the Hagye cure case all day yesterday.

Defendants in the case of Yam Wo Tong against Hoffschlaeger & Co., Ltd., and High Sheriff Brown, have filed a general denial to the recommended complaint.

An inventory of the estate of the late S. E. Damon has been filed by Gertrude Damon, executrix. It shows personal property valued at \$5770, and real estate at \$26,000.

PERU STOPPED BY STINGRAY

The Examiner says:—A gigantic stingray, or manta, as it is called by the Spanish-Americans, brought the big steamer Peru to a stop off the Mexican coast a week ago. The Peru was proceeding at full speed and was within a day's run of Mazatlan when the officers and some of the passengers observed a noticeable check in the vessel's progress. The change could not be explained by the chief engineer, for the machinery was doing as well as ever, and Captain MacKinnon and Chief Officer Jones began an investigation.

The cause of the trouble was discovered when the mate looked over the bow. There was a monster fish of some description lodged fairly across the steamer's stem in such a manner that it made the vessel's bow almost as blunt as a scow's. The Peru was stopped, and a man with a hook and chain was lowered over the bow for the purpose of making fast to the monster, the idea being to raise the creature to the deck. But when the sailor had struck the hook deep into the monster's back and the steam winch was started up, the hook straightened out and allowed the stingray to fall into the sea. Its weight was estimated at four tons. In all respects the creature resembled a stingray, having the same diamond shaped body and long tail that are distinguishing characteristics of that animal. But its immense size startled all hands aboard the Peru.

ARE REMEMBERING H E SETTLEMENT

The Kamehameha Alumni Association intends to send a Christmas box to the Lepor Settlement and anyone wishing to send books, papers, articles of clothing or anything else can leave same at the Kamehameha Club House No. 1357, Fort street, not later than the 17th of December and same will be forwarded on the 19th.

HAWAIIAN PINES AND NEW YORK MARKET

DANBURY, Conn., Nov. 25, 1904.
Editor Advertiser: I have always been a great lover of the Hawaiian pine, and when on the Islands I can hardly restrain my appetite for them. In speaking of them to my friends in the East, I have told them of their decidedly delicious flavor and their delicate flesh. They invariably seemed to think that I was lauding the Hawaiian pine altogether too much, while as a matter of fact the story was never half told. While over on the Islands this last time, I decided to bring some of them along with me.

The reason for my writing this letter to you, is that I thought perhaps it might interest you to know the condition these pines were in when I reached home. I went out on the open and bought one dozen good stock, green, from Honolulu to San Francisco was six days by boat, and from that point to Danbury I was six days en route, making in all thirteen days. When I arrived home I found the pines in perfect condition, the same having been packed in my trunk with nothing but a bit of paper around them.

Now the point is: Why, if pines can be brought from Honolulu to New York, packed as were those I brought, and reaching here in salable condition—Why do not some of the dealers in Honolulu get in touch with the fruit trade in the greatest market of the world—New York? New York is the greatest commercial city of the world, and with its great wealth its people are willing to pay anything for the best. Here is a subject that is worthy the attention of your people. That the Hawaiian pines are the best, is sufficient to warrant a large trade in this fruit if it is given a chance to develop.

I am,
Very truly yours,
W. C. WILE.

SHOT IN THE LEGS

Major Ducat, United States Army, a through passenger on the army transport Sheridan en route to the mainland from Manila, achieved fame at Santiago and San Juan Hill during the Spanish war.

At that time Major Ducat was a captain in the famous 24th Infantry (colored). In the charge up San Juan Hill the colored infantrymen were conspicuous for their bravery. Half way up the hill a bullet struck Ducat in the thigh and passed through both legs, making four wounds. He was also wounded in another portion of his body.

Afterwards he became colonel of one of the volunteer regiments and passed through here several years ago on the same troopship with Funston who was then a Brigadier General of Volunteers. Both officers were entertained the night of their arrival at the Officers' Club of the National Guard of Hawaii.

HAWAII. Bound in law calf, sent THE FUNDAMENTAL LAW OF postage prepaid, to any address in the United States for \$5 a copy.

WHAT IT WILL DO.

A woman buys a sewing machine for what it will do; not as an article of furniture. A man carries a watch to tell him the time; not as an investment of surplus capital. The same principle when one is ill. We want the medicine or the treatment which will relieve and cure. The friend in need must be a friend indeed, something, or somebody, with a reputation. There should be no guesswork in treating disease. People have the right to know what a medicine is, and what it will do, before they take it. It must have behind it an open record of benefit to others for the same diseases, a series of cures that proves its merit and inspires confidence. It is because it has such a record that

WAMPOLE'S PREPARATION is bought and used without hesitation or doubt. Its Good Name is the solid basis for the faith the people have in it; and a good name has to be earned by good deeds. It does what you have a right to expect it to do. It is palatable as honey and contains all the nutritive and curative properties of Pure Cod Liver Oil, combined with the Compound Syrup of Hypophosphites and the Extracts of Malt and Wild Cherry. In Scrofula, Anemia, Nervous and General Debility, Influenza and Wasting Complaints, it is to be thoroughly relied upon. Doctor J. L. Carrick says: "I have had remarkable success with it in the treatment of Consumption, Chronic Bronchitis, Catarrh and Scrofulous Affections. It is of special value in nervous prostration and depraved nutrition; it stimulates the appetite and the digestion, promotes assimilation, and enters directly into the circulation with the food. I consider it a marvelous success in medicine." Every dose effective. "You cannot be disappointed in it." Sold by chemists throughout the world.

WHAT THE PRESIDENT REQUESTS FOR HAWAII

Summary of Governor Carter's Schedule of Requisitions---The Governor's Exertions In Behalf of Honolulu Harbor.

To increase the depth so that the increased draft and length of steamers crossing the Pacific may be accommodated. This amount is about one-third of what will be required, but the Territory is now about expending a larger amount on the work.

Refund to Territory\$175,222.07
This is the amount already expended by the Territory on harbor improvements, buoys, lighthouses, dredging, etc., as the Governor said yesterday, "in the interest of commerce and that of protection to life and property, during the period when the Federal Government made no provision for works that no State or Territory is called upon to bear, by direct taxation."

Federal building, Honolulu.....\$1,000,000.00
Failing this item, provision should be made for the payment by the Federal Government of rents for quarters occupied by its several departments.

Federal building Hilo.....\$100,000.00
(The cable made this a million dollars, no doubt by mistake.) For locating together the postoffice, courts, internal revenue office and custom house.

Breakwater, Hilo\$10,000.00
For making a survey in anticipation of construction.

Study of leprosy\$50,000.00
To be expended under the United States Marine Hospital Service, for

studying the disease and experimenting to find a cure therefor.

Total\$1,585,222.07
The foregoing is a summary of the requests Governor Carter made for Federal appropriations for the Territory of Hawaii which, according to cable advice, President Roosevelt embodied in his message to Congress.

"In relation to harbor improvement," the Governor said yesterday, "I have written to Mr. Burton, chairman of the Rivers and Harbors Committee, and furnished him with a map prepared by Mr. Holloway showing the dredging already done, together with the banks and hummocks in the bottom of the harbor at its present dimensions. With the best available data Mr. Holloway estimated the number of cubic yards to bring the harbor to an even 34 feet in depth. The estimated cost is \$258,000."

"The cost of removing the lighthouse spit would be \$31,000, and that of removing the shoals on both sides of the harbor entrance \$550,000. These items make a total of \$890,000. That, I informed Mr. Burton, I thought would be necessary to put our harbor in a satisfactory condition."

"The Territory is now expending \$300,000 in improving harbors and slips. If the harbor was to be broadened out and enlarged by the Federal authorities, we wanted our work to conform to theirs."

"My own opinion is that we have got to have something done. That is the trend of all my letters. There is a good prospect now that \$250,000 for dredging the harbor to 34 feet level will be included in the appropriations by Congress."

SENATOR MITCHELL WILL DO HIS BEST TO AID HARBOR LEGISLATION

(Mail Special to the Advertiser.)
WASHINGTON, D. C., Nov. 26.—Senator Mitchell, of Oregon, who takes a lively interest in Hawaiian matters, has arrived here for the session of Congress. He is very emphatic on one point, that is the necessity of a River and Harbor appropriation for Honolulu.

"I intend," said Senator Mitchell today at the Raleigh hotel, "to do everything in my power to secure an appropriation for Honolulu harbor. Honolulu needs the improvement and Congress ought to appropriate the money. You can not express my sentiments too strongly on that subject. We are going to have river and harbor legislation this year and Honolulu deserves a good appropriation in the bill."

"Is that all the river and harbor appropriation you intend to ask for the Territory?" was inquired.

"No," replied Senator Mitchell. "Something ought to be done towards the improvement of the harbor at Hilo. The need there, too, is great. I hope we can get authority for a survey of Hilo Harbor."

In that connection Senator Mitchell said a letter had just been forwarded to him from Mr. Peck, of Hilo, who was at San Francisco and wanted to know where he could meet him. Mr. Peck stated his intention of coming on to Washington where Senator Mitchell will be glad to see him.

When he was asked what other matters for the Hawaiian Territory he had in mind for the coming session of Congress, the Senator replied:

"I have just arrived in town and therefore have not had opportunity to look into things much. The most I know about is that appropriation for Honolulu harbor. This is the session you know," said he with a smile, "when it behooves us to get busy for appropriations. Therefore we must make our great strike for Honolulu."

Senator Mitchell inquired whether there were any Hawaiian people yet in town and asked also for other news about the islands. He has been on the Pacific Coast for the last four months and feels very jubilant over the elections. While recognizing that there is some sentiment for tariff revision on the Pacific coast, Senator Mitchell favors doing whatever reviving there is to be done at the long session of Congress next winter.

HAWAIIANS NOT ON HAND.
Although several arrivals from Ho-

A PROMINENT PUBLISHER ENDORES CHAMBERLAIN'S COUGH REMEDY.

Mr. Leon C. Streeter, proprietor of the Worcester, Cape Colony, Standard, says: "For the past seven years, or since we have been in South Africa, Chamberlain's Cough Remedy has always been kept in our household. My wife has found it to be invaluable with the children and croupy symptoms have disappeared with astonishing but pleasing rapidity under its influence." For sale by All Dealers and Druggists. Benson Smith & Co., Ltd., Agents for Hawaii.

Bought Royal Palace Mirrors.

Two of the big French plate glass mirrors with heavy gilt frames which once adorned the room of King Kalakaua at the Palace were sold at auction the other day by Morgan and the purchaser was Henry E. Cooper, former Attorney-General, Minister of Foreign Affairs, Minister of Finance, etc., of the Republic of Hawaii. The mirrors brought about \$40 each.

It is said that the auction attracted Mr. Cooper for the reason that it was while he was a cabinet officer under President Dole that he occupied the room where the mirrors were.

READ ALL OF THIS

You Never Know the Moment
When This Information
May Prove of Infinite Value.

(From the Sydney, N. S. W., Herald.)
It is worth considerable to any citizen of Honolulu to know the value and use of a medicine, for if there is no occasion to employ it, in the meantime, frail humanity is subjected to so many influences and unforeseen contingencies that the wisest are totally unable to gauge the future. Know then that Doan's Ointment will cure any case of hemorrhoids, commonly known as piles, or any disease of the cuticle or skin, generally termed eczema. One application convinces—a continuation cures. Read this proof:

Mr. William Gilliver, of the well-known firm of Gilliver & Curtis, railway and general contractors, and whose private address is "Avoca," Bankstown, a suburb of Sydney, N. S. W., has written the following unsolicited letter, which we herewith publish in full:

Messrs. Foster, McClellan Co., 76 Pitt St., Sydney, N. S. W., February 14, 1899.
Dear Sirs:—In justice to you and suffering humanity I write to say that I suffered from itching piles for 22 years. I tried many doctors and pretty well all kinds of patent medicines, but got relief for a short time only. Seeing your Ointment advertised, I bought a pot and did not use more than one-half of it, not six months ago, and I am perfectly cured. You may use this as you wish.

Yours gratefully,
WILLIAM GILLIVER.
Doan's ointment is sold by all dealers at 50 cents per box or will be mailed on receipt of price by the Hollister Drug Co., Honolulu, agents for the Hawaiian Islands.

CHILLINGWORTH IS INDICTED

(Continued from Page 2)
came and took me. That's all I know."

Ahoo will be wiser, no doubt, today. He is known, and has been known for a long time past in criminal circles as a very wise guy indeed. There be those who say that Ahoo has been the whole head and front of the Chinese gambling fraternity in times that are no more—that is, of the so-called "protected fraternity."

The Chillingworth and Ahoo indictments were the sensation of the grand jury's report, but they were not all of it. There were eight more indictments, and the offenses charged were various. In one of the cases the man charged was not arrested last night, and of course that indictment is still on the secret file. Of the others, there were four charges of illegal liquor selling against N. R. Spencer, of Iwilei. Spencer was gathered into the net easily enough, and gave \$250 cash bail at a late hour last night.

There was also an indictment, containing three counts, charging Henry Vierra, the defaulting clerk lately discharged for peculation from the Department of Public Works, with embezzlement on three counts. The total amount taken is alleged to have been \$27. Vierra was easily found and arrested by the Deputy Sheriff, and was released last night on \$500 bail, with Solomon Mahelona as surety.

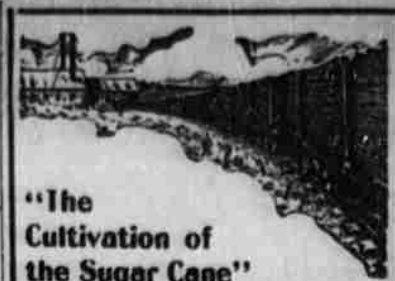
Leon Renaud was indicted on two charges of illegal liquor selling. He was arrested late in the evening, and gave \$250 cash bail.

The one indictment that was put on the open file when the grand jury made its report was that charging Kahili-lau with murder. The accused man is a native, 39 years old, and killed another native of the name of Joseph Kana a few weeks ago. He confessed the crime, shortly after its commission, to Chester Doyle, who had worked up the case against him. This man Kahili-lau is an old offender, having once before served a sentence on the reef for murderous assault. The story of that old crime itself an interesting tale, is told in the Pacific Commercial Advertiser of April 27, 1892, under the heading of "A Savage Attempt at Murder."

"Last Wednesday evening, at a quarter before eleven o'clock, a native boy came running into the station house with the information that Mr. C. C. Bennett, who keeps a variety store on the Kailhi road, about a mile and a half from town, had been almost killed by a native named Makanol. Both the Marshal and Deputy were near at hand, and proceeded with all possible dispatch to the place, accompanied by Dr. McGrew. Mr. Bennett was found to have received two cuts with a large, twelve inch butcher knife, one across the back of the neck at the base of the skull, which was six inches long and one and a half deep, and the other on the cheek, which was slight. Although the first cut made a horrible gash and bled profusely, the doctor who dressed the wound apprehends no immediate danger to life."

After mentioning the arrest of nine different men for the crime, the Advertiser relates that Kahili-lau, a hanger-on at the fishmarket, was finally taken into custody as the tenth and was recognized by Mr. Bennett as his assailant. The man pretended to be insane after his arrest, but was tried at the ensuing term of court nevertheless and sentenced to five years' on the reef.

Mr. Bennett, the victim of Kahili-lau's fury, was a man of considerable prominence in the Honolulu of his day. He was the man who first numbered the houses of the little city, some mischievous boys going about at night at that time and tearing down the numbers after he had put them up. He lived for a considerable time after he had been assaulted by the native. The accused native has been in cus-



"The Cultivation of the Sugar Cane"

a treatise on the fundamental principles of growing Sugar Cane, should be in the hands of every planter.

The value and use of

Nitrate of Soda

(THE STANDARD AMMONIATE) in increasing and bettering the growth of Sugar Cane is now so well understood that the real profit in sugar growing may be said to depend upon its use.

This Book and other valuable Bulletins of value to every one engaged in agriculture, are sent entirely free to anyone interested. Send your name and complete address on Post Card.

Wm. S. Myers, Director, 12-16 John St., New York.

Bomburg-Bremen Fire Insurance Co

The undersigned having been appointed agents of the above company are prepared to insure risks against fire on Stone and Brick Buildings and on Merchandise stored therein on the most favorable terms. For particulars apply at the office of
F. A. SCHAEFER & CO., Agts.

North German Marine Insurance Co. OF BERLIN.

Fortuna General Insurance Co. OF BERLIN.

The above Insurance Companies have established a general agency here, and the undersigned, general agents, are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms.

F. A. SCHAEFER & CO., General Agents.

General Insurance Co. for Sea River and Land Transport of Dresden.

Having established an agency at Honolulu and the Hawaiian Islands, the undersigned general agents are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms.

F. A. SCHAEFER & CO., Agents for the Hawaiian Islands.

UNION PACIFIC

The Overland Route.

It was the Route in '49!
It is the Route today, and
Will be for all time to come.

THE OLD WAY.



THE NEW WAY.



"THE OVERLAND LIMITED."

ELECTRIC LIGHTED

RUNNING EVERY DAY IN THE YEAR

Only Two Nights between Missouri and San Francisco

Montgomery St. San Francisco, Cal

S. F. BOOTH.

General Agent.

Today ever since the killing of Kana, and though his destiny has been a long time in coming he has a chance of achieving it at last. If he lives long enough, he will no doubt be hung.

CHILLINGWORTH DENIES.

"I have nothing to say about my indictment, excepting that I am not guilty of any wrong doing, and I want the charges against me tried in court as speedily as possible," said ex-Deputy Sheriff Chillingworth last night.

YOU TAKE DESPERATE CHANCES WHEN YOU NEGLECT A COLD.

It should be borne in mind that every cold weakens the lungs, lowers the vitality and makes the system less able to withstand each succeeding cold, thereby paving the way for more serious diseases. Can you afford to take such desperate chances when Chamberlain's Cough Remedy, famous for its cures of colds, can be had for a trifle? Sold by All Dealers and Druggists. Benson Smith & Co., Ltd., Agents for Hawaii.

CASTLE & COOKE CO., LTD.
HONOLULU.**Commission Merchants****SUGAR FACTORS.****AGENTS FOR**

The Ewa Plantation Company.
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The Fulton Iron Works, St. Louis, Mo.
The Standard Oil Company.
The George F. Blake Steam Pump & Works Co., Centerville, Conn.
The New England Mutual Life Insurance Company, of Boston.
The Aetna Insurance Co., of Hartford, Conn.
The Alliance Assurance Company, of London.

INSURANCE.**Theo. H. Davies & Co.**
(Limited.)**AGENTS FOR FIRE, LIFE AND MARINE INSURANCE.****Northern Assurance Company**

OF LONDON, FOR FIRE AND LIFE. Established 1836. Accumulated Funds \$2,975,000.

British and Foreign Marine Ins. Co.

OF LIVERPOOL, FOR MARINE. Capital \$1,000,000.

Reduction of Rates.**Immediate Payment of Claims.****THEO. H. DAVIES & CO., LTD.****AGENTS.****Castle & Cooke,**
—LIMITED—**LIFE and FIRE INSURANCE AGENTS. . .****AGENTS FOR****New England Mutual Life Insurance Co.****OF BOSTON.****Aetna Life Insurance Company**
OF HARTFORD.**CANADIAN PACIFIC RAILWAY**

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In Connection With the Canadian
Australian Steamship Line
Tickets are IssuedTo All Points in the United States
and Canada, via Victoria and
Vancouver.**Mountain Resorts:**
Banff, Glacier, Mount Stephens
and Fraser Canon.**Empress Line of Steamers from Vancouver**
Tickets to All Points in Japan, China,
India and Around the World.For Tickets and general information
—APPLY TO—**THEO. H. DAVIES & CO., LTD.**
Agents Canadian-Australian S. S. Line
Canadian Pacific Railway.**CHAS. BREWER & CO'S**
NEW YORK LINEShip Henry Villard sailing from
New York to Honolulu on or
about Dec. 15, 1904. FREIGHT
TAKEN AT LOWEST RATES.
For freight rates apply to**CHAS. BREWER & CO.,**
27 Kilby St., Boston, or
C. BREWER & CO., LTD.,
Honolulu.**REAL ESTATE TRANSACTIONS.**Recorded Nov. 28, 1904.
Joe Emmisley to J. Onishi; Judgment; for \$318.60. B 143, p. 27. Dated Nov. 26, 1904.

Julia J. O. Wilder and her (J. O.) to Richard K. Kalohi; D: 1 A land, Mokuauia, Kauai; \$20. B 266, p. 14. Dated Nov. 10, 1904.

Recorded Nov. 26, 1904.
B. Maalili and wife to George H. Akau et al; D: 18-100 A land and bldg, Volcano St., Hilo, Hawaii; 17-100 A land and bldg, Jali St., Hilo, Hawaii; \$1300. B 266, p. 12. Dated Nov. 17, 1904.

Kahalelaau (w) to Otto Medero; D: 5% A land, Kekuaie, Hamakua, Hawaii; \$150. B 261, p. 489. Dated Nov. 21, 1904.

Keahonui Rickard to Kanetani Kimi; L: 490 sq ft land, Honokaa, Hamakua, Hawaii; 15 yrs @ \$50 per yr. B 273, p. 12. Dated Nov. 21, 1904.

E. C. Greenwell (Mrs) to Angelica

Teixeira; L: 4 A land, Kamalulua, N. Kona, Hawaii; 9 yrs @ \$20 per yr. B 273, p. 15. Dated Sept. 1, 1904.

E. C. Greenwell (Mrs) to Angelica Teixeira; L: pe land, Pahohoe, N. Kona, Hawaii; 10 yrs @ \$30 per yr. B 273, p. 17. Dated Sept. 1, 1904.

Hali Kanaoka (w) to A. Hauwahine Keoloha (w); D: R P 6400, Kul 6540, Keoloha, Maui; \$50. B 267, p. 42. Dated Nov. 16, 1904.

Jose Savilua and wife to Jose F. Lowrance; M: por R P 5152, Kul 3333, Wailuku, Maui; \$500. B 267, p. 42. Dated Nov. 16, 1904.

Harriet K. Kealo and her to H. L. Holstein; D: int in Kul 357, Niuli, Kohala, Hawaii; \$50. B 266, p. 16. Dated Nov. 2, 1903.

H. L. Holstein and wife to C. F. Hart; D: int in Kul 357, Niuli, Kohala, Hawaii; \$66. B 266, p. 17. Dated Jan. 28, 1904.

Gear, Lansing & Co by Trs to V. L. Ventura; D: lot 5, Kaonolu Lots, Kula, Maui; \$580. B 264, p. 201. Dated Oct. 27, 1904.

Gear, Lansing & Co by Trs to A. M. Pires; D: lot 4, Kaonolu Lots, Kula, Maui; \$420. B 264, p. 202. Dated Nov. 14, 1904.

Antone, M. Caldeira and wife to J. M. Gonsalves et al; D: 82 70-100 A land, Makawao, Maui; \$1340. B 264, p. 203. Dated Nov. 10, 1904.

Queen's Hospital to James Wright by atty; L: Kul 5515, Kawaihae 2, Kohala, Hawaii; 10 yrs @ \$2500 per yr. B 273, p. 19. Dated Nov. 25, 1904.

Naki to Tom Leong et al; L: pe land, Kaneohe, Koolau, Oahu; 15 yrs @ \$20 per an. B 267, p. 171. Dated Sept. 30, 1904.

William C. Achi and wife to Thomas W. Holstein; D: lots 28 and 30, blk 3, Puunui Tract, Honolulu, Oahu; \$500. B 264, p. 205. Dated Feb. 26, 1904.

Geo. S. Kenway and wife to Francis M. Swanzy; D: por Gr 2221, Paaulo, Hamakua, Hawaii; \$5500. B 264, p. 206. Dated Nov. 26, 1904.

Mary C. Mills to Onomea Sugar Co.; L: 9 A land, Kalahe, Hilo, Hawaii; 10 yrs @ \$50 per yr. B 263, p. 173. Dated Oct. 15, 1904.

Yamaichi Hotel to Y. Shlosaki; CM; leasehold, household furniture, fixtures, etc., cor Beretania St and Achi lane, Honolulu, Oahu; \$600. B 267, p. 44. Dated Nov. 14, 1904.

Recorded Nov. 29, 1904.
Kaina (widow) to J. W. Halemano; D: int in Gr 1911, hui land Waiakua, etc., Koolau, Maui; \$1, etc. B 264, p. 204. Dated Nov. 16, 1904.

Hamakua Mill Co to George S. Kenway; Rel: por Gr 2221, Paaulo, Hamakua, Hawaii; \$2500. B 247, p. 10. Dated Nov. 28, 1904.

G. N. Wilcox to Notice; Notice; appen for Reg Title of por Kul 191, Queen St, Honolulu, Oahu. B 265, p. 301. Dated Nov. 29, 1904.

Manuel de Quadros to Wo Chan Co; Can L: pe land and bldgs, King St, Honolulu, Oahu. B 190, p. 294. Dated Nov. 29, 1904.

Manuel de Quadros to Wo Chan Co; Can L: pe land and bldgs, King St, Honolulu, Oahu. B 197, p. 127. Dated Nov. 29, 1904.

Oahu Market Co Ltd by atty to Notice; Notice; appen for Reg Title of 9608 sq ft land, cor Kekaulike and King Sts, Honolulu, Oahu. B 265, p. 301. Dated Nov. 28, 1904.

Min Sang et al to Wo Chan Co; AL; int in pe land, King St, Honolulu, Oahu; \$500. B 263, p. 175. Dated Mar. 17, 1900.

Bishop & Co to Gear, Lansing & Co et al; Par Rel; blks 68, 69, 75, 81, 82, 88, 95, 96 and 97, rdways, Sts, etc., Wailalee Tract, Honolulu, Oahu; \$1. B 264, p. 209. Dated Nov. 29, 1904.

A. V. Gear and wife et al to United States of America; D: Blks 68, 69, 75, 81, 82, 88, 95, 96 and 97, rdways, Sts, etc., Wailalee Tract, Honolulu, Oahu; \$1. B 264, p. 212. Dated Nov. 26, 1904.

Gear, Lansing & Co by Trs to United States of America; D: Blks 68, 69, 75, 81, 82, 88, 95, 96 and 97, rdways, Sts, etc., Wailalee Tract, Honolulu, Oahu; \$32,600. B 264, p. 215. Dated Nov. 26, 1904.

Recorded Nov. 30, 1904.
Bishop & Co to Gear, Lansing & Co; Rel: lot 37, Kapahulu lots, Honolulu, Oahu; \$35,000. B 192, p. 271. Dated Nov. 29, 1904.

James Nalau to Alexandrina Strauch by Tr; D: int in R P 7307, Kul 10753 and R P 6999, Kul 7324, 2 aps Nienie, etc., Hamakua, Hawaii; \$15. B 264, p. 219. Dated Nov. 30, 1904.

W. F. Allen, Tr to W. M. Campbell; Rel: lot 4, blk A of Gr 3400, Lunalilo St, Honolulu, Oahu; \$2500. B 257, p. 56. Dated Nov. 26, 1904.

Mary E. Clark and her to Hawaiian Fruit & Plant Co Ltd; D: 21 3-10 A and, Wailalee, Wailalee, Oahu; \$5326.52. B 264, p. 220. Dated Nov. 18, 1904.

E. Colt Hobron et al to Lord & Belsor; B S: 1 stone crusher, 1 gasoline engine, screens, belts, etc; \$1400. B 265, p. 302. Dated Nov. 30, 1904.

Recorded Dec. 1, 1904.
Rose Matia to Kekua (w); D: 1/4 int in R P 354, Kul 1236, Moanalua, Honolulu, Oahu; \$225. B 261, p. 490. Dated Dec. 1, 1904.

First Am Sava & Tr Co of Hawaii Ltd to W. M. Minton; Par Rel; lots 1 to 9 (incl) blk 65, Wailalee tract, Honolulu, Oahu; \$1. B 260, p. 303. Dated Nov. 30, 1904.

Gear, Lansing & Co by Tr to W. M. Minton; Par Rel; lots 1 to 9 (incl) blk 65, Wailalee tract, Honolulu, Oahu; \$1. B 260, p. 305. Dated Nov. 29, 1904.

Wm M. Minton and wife to Sisters of O. M. C. St. Francis; D: int in lots 1 to 9 (incl) blk 65, Wailalee tract, Honolulu, Oahu; \$3750. B 261, p. 491. Dated Nov. 30, 1904.

Isaac K. Hart to Eva Hart; D: int in real and personal property of I. Hart, dsc, Wailalee, Kauai, etc; \$100. B 261, p. 493. Dated Nov. 11, 1904.

Sarepta A. Gulick (widow) to Ellen A. Kenway; D: lots 4 and 48, Gulick tract, Honolulu, Oahu; \$900. B 261, p. 493. Dated Nov. 28, 1904.

Jno P. Kahahawai (widower); Affd: in re ownership of pors R P 7624, Kul 325, Nuuanu Valley, Honolulu, Oahu. B 265, p. 304. Dated Nov. 30, 1904.

Jno P. Kahahawai to George S. Kenway; M: ap 2 in ap 1 of R P 7624, Kul 325 and 786-1009 R land, Nuuanu Road,

THE FUNDAMENTAL LAW OF HAWAII: A NEW LAW BOOKEdited and Indexed By **Lorin A. Thurston** and
Published By the **Hawaiian Gazette Company, Ltd.**

The Hawaiian Gazette Company, Ltd., announce the publication of a book, edited and indexed by Lorin A. Thurston, containing the several constitutions and other fundamental laws of earlier days, the annexation treaty, resolutions and procedure and the Organic Act.

The book contains 298 pages of text and 138 pages of index. It is printed in regulation law book type and style and is substantially bound in calf skin.

The price is \$5.

The scope and character of the book and the reasons for its publication are given in the preface, which is as follows:

PREFACE TO THE FUNDAMENTAL LAW OF HAWAII.

Congress has expressly enacted a law organizing Hawaii into a Territory, and extended the provisions of the United States Constitution to the Territory.

In a restricted sense, therefore, the United States Constitution and the Organic Act constitute Hawaii's fundamental law; but the Organic Act specifically re-enacts the great body of pre-existing Hawaiian statute law, which was based upon the several Hawaiian Constitutions and organic laws.

A large portion of the law governing real estate, property and personal rights in Hawaii being based upon these early constitutions and laws, and precedents, decisions and court practice having grown out of them, it is necessary to consult them in order to have a comprehensive understanding of existing Hawaiian law. They are nearly all published, however, in books now out of print, and in scattered volumes, inaccessible to many, and inconveniently located for all. In fact, not even practicing lawyers in Hawaii can, except at considerable loss of time, place their hands on the laws and constitutions necessary for the study and decision of practical questions continually being presented to them.

Under these circumstances it is believed that the public interest requires the re-publication in convenient reference form of what may be called "the fundamental law of Hawaii." To meet this requirement the following constitutions, laws and documents have been compiled under the common title of "The Fundamental Law of Hawaii," viz:

1. The first Constitution of Kamehameha III, 1840, including the previously issued Bill of Rights.
2. The first laws of Hawaii, enacted under Kamehameha III, (1833-1842), published together in 1842.
3. The law creating and principles guiding the Land Commission.
4. The second Constitution of Kamehameha III, 1852.

Only a few of the laws, constitutions and documents re-published, have ever been indexed. A full index of all of them is included herein. Instead of one general index, each is indexed separately. The reason for such treatment is that reference will usually be desired to a given subject in some one law or constitution. The subject sought will be much easier found in the short index of the particular law, than it would have been in a necessarily long index of the whole.

The table of contents gives the page of each constitution and law and of its index.

THE LOTUS CLUB
DINNER TO ATKINSON

The Lotus Club banquet to Secretary Atkinson was given by Dr. Wile. The guests were Abiram Chamberlain, Governor of the State of Connecticut; Jno. W. Griggs, ex-U. S. Attorney-General; H. H. Vreeland, President Interborough Railroad Co.; Hon. Morgan G. Bulkeley, ex-Gov. State of Connecticut; William T. Jerome, District Attorney; Leonard D. Baldwin, Arthur J. Baldwin, Howard K. Wood, President Corporation Trust Co.; Clarkson A. Collins, Dr. A. D. Rockwell, Dr. Geo. L. Porter, E. M. Johnson.

The menu was as follows:

Blue Points "Waikiki"
Strained Chicken Gumbo
Celery Smelts "Diamond Head"
Filet Mignon a la "Tantalus"
Baked Taro Root
Artichokes
Sorbet "Aloha" Quail "From Maui"
Romaine Salad "Molokai"
St. Honori a la Lotos
Pineapple "Pearl City"
Camembert Cheese
Cafe "Hawaiian"
Moet & Chandon Brut Imperial.

W. B. Maling and Geo. Thiesen, clerk and stenographer, respectively of the Federal court, had two days of hunting in Molokai. They popped over a couple of deer and several goats.

Honolulu Oahu; \$2200. B 260, p. 308. Dated Nov. 30, 1904.

W. C. Peacock to Est of Way L. by Exor et al; Sur L: por R P 1920, Kul 577, King St, Honolulu, Oahu. B 233, p. 1. Dated Nov. 29, 1904.

Elesie Q. Helm to Jno P. Kahahawai; Rel: por ap 1 R P 7624, Kul 6325, Nuuanu Road, Honolulu, Oahu; \$1200. B 239, p. 10. Dated Nov. 30, 1904.

Jose M. Medeiros and wife to Henry Luchman; D: por lot 9 of Gr 4794, Paaulo, Hamakua, Hawaii; \$100 and mtg \$900. B 261, p. 494. Dated Sept. 26, 1904.

Hawaiian Gazette Company, Honolulu, T. H.

Enclosed herewith find five dollars to pay for one copy of the Fundamental Law of Hawaii, which please send to

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Millions of Women Use Cuticura Soap

Exclusively for preserving, purifying, and beautifying the skin, for cleansing the scalp of crusts, scales, and dandruff, and the stopping of falling hair, for softening, whitening, and soothing red, rough, and sore hands, in the form of baths for annoying irritations, inflammations, and chafings, or too free or offensive perspiration, in the form of washes for ulcerative weaknesses, and for many sanative antiseptic purposes which readily suggest themselves to women, and especially mothers, and for all the purposes of the toilet, bath, and nursery. No amount of persuasion can induce those who have once used it to use any other, especially for preserving and purifying the skin, scalp, and hair of infants and children. CUTICURA SOAP combines delicate emollient properties derived from CUTICURA, the great skin cure, with the purest of cleansing ingredients and the most refreshing of flower colours. No other medicated soap ever compounded is to be compared with it for preserving, purifying, and beautifying the skin, scalp, hair, and hands. No other foreign or domestic toilet soap, however expensive, is to be compared with it for all the purposes of the toilet, bath and nursery. Thus it combines in ONE SOAP at ONE PRICE, the BEST skin and complexion soap, the BEST toilet and BEST baby soap in the world. Sold throughout the world. "All About the Skin," just free of cost. Depot: R. TOWNS & CO., Sydney, N. S. W. So. African Depot: LENNON LTD., Cape Town. POTTER DRUG AND CHEM. CO., Sole Props., Boston, U. S. A.

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Honolulu, Hawaii.

Read the Advertiser.



TO SAVE THE ISLAND FISH

National Fish Commissioner Sends Suggestions to Governor.

ARRIVED.
Tuesday, Dec. 6.
Stmr. Likelike, Naopala, from Maui and Molokai ports, 11:25 p. m.
Stmr. Mikahala, Gregory, from Kaula ports, 3:35 a. m.

Thursday, Dec. 8.
Stmr. Nihau, Thompson, from Anahou, 3:15 a. m.
U. S. S. Petrel, Sherman, from San Diego, 7:15 p. m.

DEPARTED.
U. S. S. Sonoma, Herriman, for the Colonies, 2:45 p. m.
Stmr. Mikahala, Gregory, for Kaula ports, 5 p. m.

PASSENGERS.
Arrived.

Per stmr. Mikahala, Dec. 7, from Kaula ports—W. H. Rice and wife, J. W. Bergstrom, R. D. Burgess, C. J. Day, J. Spalding, Hing Chong, Rev. H. Isenberg, Mrs. W. H. Scott and child, Miss E. Rice, Mrs. G. Ewart, A. S. Wilcox and wife, R. L. Wilcox and wife and 35 deck.

Per stmr. Nihau, Dec. 8, from Anahou—E. R. Hendry.

Departed.
Per S. S. Sonoma, Dec. 8, for the Colonies—Mrs. H. Pedler, E. M. Brown, G. W. Clyde, W. H. Alley and wife, F. Weir, A. Griggs.
Per stmr. Mikahala, Dec. 8, for Kaula ports—Miss Gray, A. S. Wilcox, wife and two children, Albert Lyman, Maude De Bretteville, Paul De Bretteville, J. H. Bale and daughter, Col. Z. S. Spalding, Rev. H. Isenberg, J. Nevlin, Wm. Williamson, Dr. Spinola, Mr. De Lacey.

DUE TODAY.
P. M. S. S. Mongolia, Porter, from the Orient, a. m.
S. S. Korea, Seabury, from San Francisco, a. m.

DEPART TODAY.
S. S. Korea, Seabury, for the Orient, probably sail in afternoon.

DUE TO-MORROW.
Stmr. Kinau, Freeman, from Hilo and way ports.
U. S. transport Logan, Stinson, from San Francisco, due.
Stmr. Likelike, Naopala, from Maui and Molokai ports, p. m.

SAIL TO-MORROW.
P. M. S. S. Mongolia, Porter, for San Francisco, a. m.

DUE SUNDAY.
Stmr. Kaula, Pederson, from Kukuiahe at 9:20 a. m.
Stmr. W. G. Hall, S. Thompson, from Kaula ports at 2:35 a. m.
Schr. Lady, from Koolau ports at 11 a. m.

Shipping Notes.
The Maui is at the Bishop slip being overhauled.

The Petrel left San Diego for this port Nov. 26th and should have arrived before this.

The small island schooner Kaulikea is on the ways being coppered and generally overhauled.

The Nihau arrived very early yesterday morning from Anahou. After getting rid of her freight she went to the Bishop slip.

The Erskine M. Phelps shows signs of getting ready to leave. The first coat of white paint is now being put on over the red.

The bark Kalulani sailed Thursday for the coast with the first sugar of the new season. She did not take anywhere near a full load.

The Iwalani is being overhauled preparatory to a trip to Midway with a cargo of supplies for the marine guard that is to be stationed there. She will not depart for a week at least, as the supplies arrive on the Alameda next Friday.

There are 12,521 bags of sugar on Kaula ready for shipment divided as follows: K. S. M., 1000 bags; V. K., 800; Mak., 3380; G. & R., 366; McB., 675; K. S. Co., 4300. Practically all the plantations are now grinding.

Two Pacific Mail steamers are due this morning, the Mongolia from the Orient and the Korea from San Francisco. The Korea brings two days' later mail. The Mongolia has 1200 tons of freight for this port and can take on 125 cabin passengers if necessary.

VESSELS IN PORT.

ARMY AND NAVY.

U. S. S. Iroquois, Niblack, Station vessel.
U. S. S. Petrel, Sherman, Station vessel, San Diego, Dec. 8.

MERCHANT VESSELS.

Coronado, Am. bkt., Potter, San Francisco, Nov. 23.
Erskine M. Phelps, Am. sp., Graham, Philadelphia, Aug. 31.
Mary E. Foster, Am. schr., Willer, Port Gamble, Dec. 1.

The Mails

Mails are due from the following points as follows:

San Francisco—Per Korea, Dec. 10.
Colonies—Per Aorangi, Dec. 14.
Victoria—Per Moana, Dec. 17.
San Francisco—Per Korea, Dec. 13.

Mails will depart as follows:
Colonies—Per Sonoma, Dec. 8.
San Francisco—Per Mongolia, Dec. 10.

Yokohama—Per Korea, Dec. 10.
Victoria—Per Aorangi, Dec. 14.

BLACK SEA FLEET WILL NOT GO TO THE ORIENT

Probably Finding it Impossible to Pass the Dardanelles, the Czar Has Decided to Keep Ships at Home.

ST. PETERSBURG, Dec. 8.—The Russians will not send the Black Sea fleet to the Orient.

WASHINGTON, D. C., Dec. 8.—Japan accepts the invitation to take part in the peace conference at The Hague provided the present conflict is not affected.

Washington, D. C., Dec. 8.

To Japanese Consul, Honolulu:

The commander of the naval artillery corps at Port Arthur reports at 2:30 p. m., Thursday, that the actual state of the Russian ships is as follows: The Peresviet sunk to sternwalk; the Poltava, the Retvisan and the Pobieda all sunk to the upper deck; the Pallada heeling to port side; the Bayan taking fire; the Sevastopol lying alongside the cranes of the east harbor and invisible except the masts. Our bombardment on Thursday has been principally directed to the three latter ships.

HIOKI.

Washington, D. C., Dec. 8.

To Japanese Consul, Honolulu:

Port Arthur besieging army reports that the bombardment against the Russian ships on Wednesday was fruitful and many effective shots fell on the Pallada, the Peresviet and the Pobieda. The Peresviet took fire at 5:15 p. m., while the Pobieda heeled to port.

Commander of the Port Arthur naval artillery corps reports that observation from 203-metre hill on Wednesday afternoon showed that the Retvisan submerged evenly up to sternwalk, apparently resting on her bottom, and the Pobieda listed considerably to port and her hull below the water line exposed to the eastward.

HIOKI.

FULL INDEXING MADE OF THE ORGANIC ACT

The act passed by Congress creating a government for Hawaii repeals and amends scores of civil and criminal statutes previously enacted by Hawaiian legislatures.

No man knows what is in the Organic Act except through the medium of an index. The previously printed copies of this law in use in Hawaii contain only 657 indexed subjects.

The index of the Organic Act in the "Fundamental Law of Hawaii" contains 1399 indexed subjects and cross references.

REPEALED LAWS NOT HERETOFORE INDEXED.

Some of the Hawaiian Statutes repealed by the Organic Act, which are not indexed in the previous publication, but which are fully indexed in the Fundamental Law of Hawaii are as follows:

CIVIL LAWS.
Promulgation of Laws.
Concerning the Hawaiian Flag.
Concerning the Hawaiian Great Seal.
Tenders for Supplies.
Duties of Minister of Foreign Affairs.
Diplomatic and Consular Agents.
National Museum.
Education of Hawaiian Youths abroad.
Aid to Board of Education.
Duties of Minister of Interior.
Government Lands.
Commissioners of Public Lands.
Bureau of Agriculture and Forestry.
Agriculture and Manufactures.
Rams, Taro Flour.
Development of Hawaiian resources.
Agriculture, Brands, Patents, Railroad subsidies, Hospitals.
Coins and Currency.
Consolidation of Public Debt.
Post Office and Postage.
Postal Savings Bank.
Imports and Import duties.
Ports of Entry.
Collectors of Customs.
Registry of Vessels.
Custom House Charges.
Elections, Appointment of Magistrates.
Jurisdiction of Circuit Courts and Circuit Judges.
Translation of Court Decisions.
Jury Law, Maritime Laws.
Naturalization, Habeas Corpus.
Arrest of Debtors, Garnishment.

Liens on Vessels, Bankruptcy.
Water Rights.

PENAL LAWS.
Treason, Foot Binding.
Violation of Postal Laws, Blasphemy.
Vagrancy, Manufacture of Liquors.
Offenses on High Seas.
Criminal Jurisdiction of District Magistrates.
Criminal Jurisdiction of Supreme Court.
Import Regulations.
Auction Licenses.
Commercial Travelers.
Fire Arms, Coasting Trade.
Peddling Goods.
Importation of Live Stock.
Imports, Quarantine.
Consuls and Consular Agents.
Whale Ships.
Arrival, Entry and Departure of Vessels.
Navigation, Fraudulent Exportation.
Master and Servants.
Immigration, Agriculture and Forestry.
Seditious Offenses.
Sailing Regulations.

SESSION LAWS.
Duties and Exemptions therefrom.
Registry of Vessels, Elections.
Importation of live stock.
Pacific Cable.
Consolidation of Public Debt.
Ports of Entry.
Chinese Immigration.

O. S. S. SONOMA GETS AWAY LATE

The Sonoma resumed her voyage to the Colonies shortly before three yesterday afternoon. Upon her arrival here she was expected to get away at nine in the morning, but delay in getting out the freight held her up.

The Sonoma had about 800 tons of freight for this port, there being about a dozen buoys for Captain Niblack, the Lighthouse Inspector.

The delay in getting out the freight was caused by the poor judgment of the stevedores in San Francisco. Sydney freight was piled on top of that for this port, and another fault was in putting the majority of the freight in one place, necessitating slow work.

Work on unloading began at 5 o'clock Wednesday afternoon and went on steadily until the time the Sonoma sailed.

Through passengers were hanging around from nine o'clock in the morning, waiting for the vessel to sail. The band was not in attendance and the long wait was extremely monotonous.

Only six passengers joined the Sonoma at this port.

INFLUENZA

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this remedy during the past year, and we have to learn of a single case where they were not pleased. For sale by All Dealers and Druggists. Benson Smith & Co., Ltd., Agents for Hawaii.

COURT NOTICES.

HACKFELD VS. P. E. LAMAR.

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT, TERRITORY OF HAWAII—OCTOBER TERM, 1904.

H. Hackfeld & Company, Ltd., a Corporation, Plaintiff, vs. P. E. Lamar, Defendant, The Pioneer Mill Co., Ltd., a Corporation, Garnishee.

ORDER OF COURT FOR PUBLICATION OF SUMMONS.

Upon reading and filing the affidavits of L. N. Baldwin, and D. H. Case, and, it appearing to me therefrom that defendant P. E. Lamar, has removed from and is now a non-resident of the Territory of Hawaii, and that he is now living in the city of San Francisco, State of California; and, it also appearing from said affidavits that a cause of action in assumpsit exists between said H. Hackfeld & Company, Ltd., as plaintiff, and said P. E. Lamar, as defendant, and that said P. E. Lamar is a necessary party thereto; and, it further appearing that a summons has been duly issued in the above entitled case, and due and diligent inquiry and search made for said P. E. Lamar for the purpose of making personal service thereof upon him as defendant, but that same was not and could not be had for the reasons hereinabove stated,

and by said affidavits made to appear:

Now, therefore, it is ordered that service of summons in this action be made upon the defendant, P. E. Lamar, by publication thereof in the Hawaiian Gazette, a semi-weekly newspaper, published in the English language in Honolulu, Oahu, Territory of Hawaii, and hereby designated as a newspaper suitable for the advertisement of notice of judicial proceedings; that such publication be had and made at least once a week for four consecutive months; and

It further appearing from a reading of said affidavits, that said defendant, P. E. Lamar, is located in and about the city of San Francisco, State of California;

It is further ordered and directed that a copy of the summons and complaint in the above entitled case be forwarded forthwith by being deposited in the United States Postoffice at Wailuku, Maui, postpaid, directed to said P. E. Lamar, at San Francisco, State of California.

Service herein shall be deemed completed at the expiration of time prescribed by the order of this court, this cause to stand continued to, and be triable at, the regular March term 1905 of this court.

(Sgd.) A. N. KEPOIKAI,
Judge of the Circuit Court, Second Judicial Circuit.

Attest:
(Sgd.) EDMUND H. HART,
Clerk, Second Circuit Court.
(Seal.) 2625

ESTATE E. J. TEVES.

IN THE CIRCUIT COURT OF THE First Circuit, Territory of Hawaii. At Chambers, in Probate. In the matter of the Estate of Eduardo Jose Teves, Deceased. Order of Notice of Hearing Petition for Administration. On reading and filing the petition of Carolina Teves, of Honolulu, alleging that Eduardo Jose Teves, of Honolulu, Oahu, died intestate at Honolulu, Oahu, on the 25th day of October, A. D. 1904, leaving property in the Hawaiian Islands necessary to be administered upon, and praying that letters of administration issue to the said Carolina Teves, it is ordered that Monday, the 15th day of January, A. D. 1905, at 10 o'clock

a. m., be and hereby is appointed for hearing said petition in the court room of this court at Honolulu, Oahu, at which time and place all persons concerned may appear and show cause, if any they have, why said petition should not be granted.
Dated at Honolulu, December 7th, 1904.

J. T. DE BOLT,
First Judge of the Circuit Court of the First Circuit.

Attest:—J. A. THOMPSON,
Clerk of the Circuit Court of the First Circuit.
A. G. Correa, attorney for petitioner. B-183.

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